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URBAN
MUNICIPAL

BY-LAWS OF THE CITY
OF HAMILTON

99-001 ...

BY-LAW NO. 99 - 001

**CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 19th DAY OF JANUARY
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

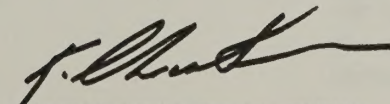
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

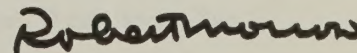
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 19th day of January 1999


ACTING MUNICIPAL CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-002

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Delmar	Both	Columbia to 1087 feet easterly	1 hr	8 am - 9 pm	Mon - Fri
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Crockett	South	commencing 52 feet east of East 32 nd and extending 51 feet easterly therefrom	30 min	9 am - 7 pm	Mon - Sun"
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and by deleting therefrom the following items, namely:-

"Delmar	Both	Columbia to 597 feet east	1 hr	8 am - 6 pm	Mon - Fri
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Delmar	Both	commencing at a point 597 feet east of Columbia to a point 490 feet easterly therefrom	1 hr	8 am - 9 pm	Mon - Fri"
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2. That **Schedule 26 (No Parking Areas)** of the said By-law is hereby amended by adding thereto the following items, namely:-

"Delmar	North	commencing at Columbia and extending 71 feet easterly therefrom			Anytime
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Hess	West	commencing 110 feet north of Barton and extending 129 feet northerly therefrom	7 am - 4 pm	Mon - Fri"	
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and by deleting therefrom the following items, namely:-

"Crockett	South	25 ft. east of East 32 nd to a point 60 feet easterly therefrom	Anytime
Elaine Court	West	Sinclair to northerly end	Anytime
Beach	North	commencing 61 feet east of Avondale and extending 97 feet easterly therefrom	7 am - 4 pm Mon - Sat
Grosvenor	West	commencing at a point 51 feet north of Cannon to a point 58 feet northerly therefrom	8:30 am - 5 pm Mon - Fri"

3. That **Schedule 26(A) (Loading Zones)** of the said By-law is hereby amended by deleting therefrom the following item, namely:-

"Bell East 30 ft. 155 ft. south of Queenston"

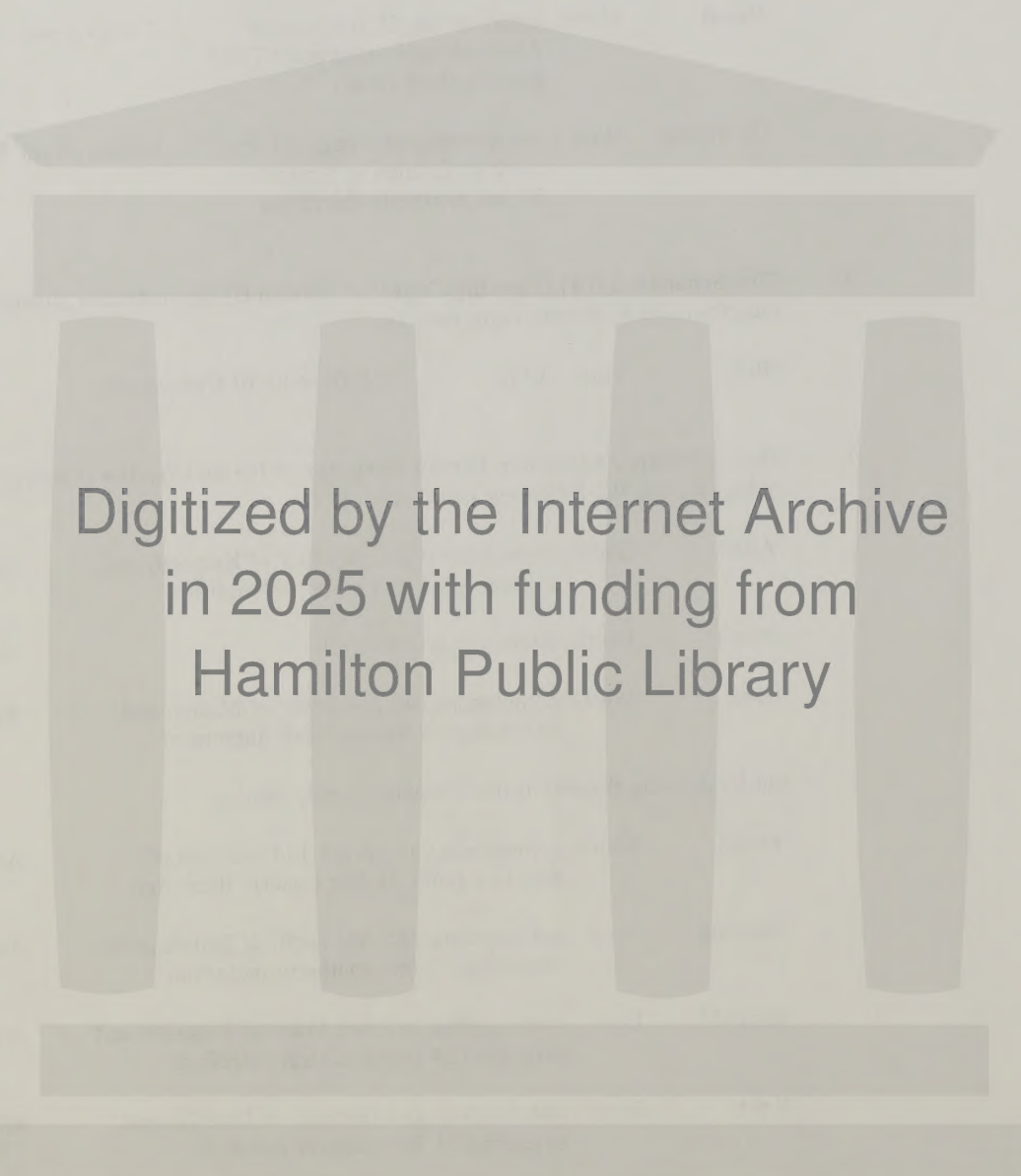
4. That **Schedule 34 (Sticker Permit Parking)** of the said By-law is hereby amended by adding thereto the following items, namely:-

"Allan	South	commencing 222 feet east of Harmony and extending 21 feet easterly therefrom	Anytime
Beach	North	Avondale to Albemarle	Anytime
Bond	West	commencing 48 feet north of Marion and extending 22 feet northerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"Picton	South	commencing at a point 134 feet east of Bay to a point 21 feet easterly therefrom	Anytime
Fairfield	West	commencing 183 feet south of Britannia and extending 23 feet southerly therefrom	Anytime
Fairfield	East	commencing 167 feet south of Britannia and extending 24 feet southerly therefrom	Anytime
Keith	South	commencing 164 feet east of Douglas and extending 21 feet easterly therefrom	Anytime
Bond	West	commencing 25 feet north of Marion and extending 22 feet northerly therefrom	Anytime
Bond	East	commencing 63 feet north of Marion and extending 22 feet northerly therefrom	Anytime"

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

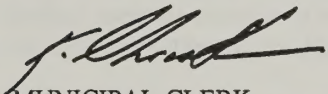


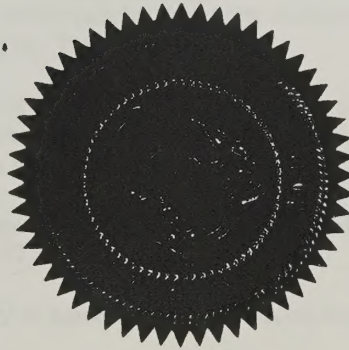
Digitized by the Internet Archive
in 2025 with funding from
Hamilton Public Library

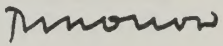
<https://archive.org/details/32022213349281>

6. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 26th day of January 1999.


Acting MUNICIPAL CLERK




MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-003

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"John	Northbound	Picton
John	Northbound	Simcoe"

2. That **Schedule 28 (Taxi Stands)** of the said By-law is hereby amended by adding thereto the following item, namely:-

"East 36 th	East	22 feet	158 feet north of Munn	7:00 a.m. - 6:00 p.m. Monday to Friday"
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and by deleting therefrom the following item, namely:-

"East 36 th	East	44 feet	158 feet north of Munn	Anytime"
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3. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of the said By-law is hereby amended by adding thereto the following items, namely:-

"Beach	North	commencing 61 feet east of Avondale and extending 22 feet easterly therefrom	Anytime
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Beach	North	commencing 103 feet east of Avondale and extending 58 feet easterly therefrom	Anytime
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Glen Echo	West	Secord to 208 feet north of the south leg of Loyalist	7 am - 6 pm Mon - Sat
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Glen Echo	West	Rainbow to 106 feet north of the south leg of Loyalist	7 am - 6 pm Mon - Sat
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Kingslea	West	Broker to 180 feet southerly	7 am - 6 pm	Mon - Sat
Kingslea	West	Sandalwood to 267 feet south of Broker	7 am - 6 pm	Mon - Sat
Laurier	South /West	Columbia to South Bend	8 am - 5 pm	Mon - Fri
Redmond	West	commencing 240 feet north of Stone Church and extending 92 feet northerly therefrom		Anytime
Crocket	Both	East 39 th to Upper Gage		Anytime
Crocket	North	East 37 th to East 38 th		Anytime"

4. That **Schedule 31 (School Bus Loading Zones)** of the said By-law is hereby amended by adding thereto the following item, namely:-

"East 36 th	East	22 feet	180 feet north of Munn	7:00 a.m. - 6:00 p.m. Monday to Friday"
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5. That **Schedule 35 (Wheelchair Loading Zones)** of the said By-law is hereby amended by adding thereto the following item, namely:-

"East 12 th	West	19 feet	179 feet north of Mountville	9:00 a.m. - 4:00 p.m. Monday to Friday"
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and by deleting therefrom the following item, namely:-

"Barons	East	18 feet	190 feet north of Main	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
7. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 26th day of January 1999.

Acting

MUNICIPAL CLERK



[Signature]

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-004

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-12298
INTO MARKET STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Market Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Market Street.

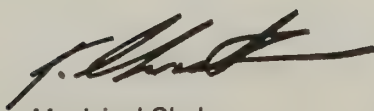
Part of Lot 1, Block 2, Range 1, on Registered Plan 1435, designated as Part 1, on Plan 62R-12288.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of January A.D. 1999


Acting Municipal Clerk




Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 005

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 2 and 5 ON PLAN 62R-8055
INTO SINENA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known Sinena Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Sinena Drive.

Part of Lot 7, Concession 8, in the geographic Township of Barton, designated as Parts 2 and 5, on Plan 62R-8055.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of January A.D. 1999

Acting Municipal Clerk



Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 006

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 24 ON PLAN 62M-853
INTO MEADOWPOINT DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Meadowpoint Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Meadowpoint Drive.

All of Block 24, on Plan 62M-853.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

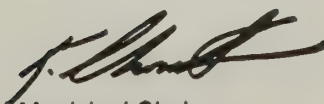
26th

day of

January

A.D. 1999

Acting Municipal Clerk



Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 007

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 35 ON PLAN 62M-830
INTO JACQUELINE BOULEVARD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Jacqueline Boulevard within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Jacqueline Boulevard.

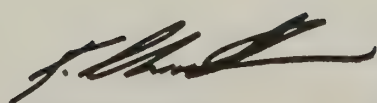
All of Block 35, Plan 62M-830.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 26th day of January A.D. 1999


Acting Municipal Clerk




Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99- 008

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1800 KING STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1)(i) of Zoning By-law No. 6593, the following use shall be permitted:
 - (i) a senior citizens "residential care facility" for the accommodation of a maximum of twenty (20) persons only within the building existing on the date of the passing of this by-law; and,
- (b) for the purpose of this By-law, a senior citizens "residential care facility" means a residential care facility within which all residents are at least 65 years of age or older and do not require probationary or custodial care governed by the terms of any court or parole board; and,
- (c) that Section 14.(7) of Zoning By-law No. 6593, shall not apply to the subject lands; and,
- (d) that Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593, shall not apply to the entire westerly lot line; and,
- (e) that Section 18A.(24)(b) of Zoning By-law No. 6593, shall not apply only to the existing 3.66 metre (12'-0") wide driveway adjacent to the existing building; and,
- (f) that a minimum landscape area of 23.0% of lot area shall be provided and maintained on the lot; and,

- (g) that a visual barrier not less than 1.8 metres and not greater than 2.0 metres in height shall be provided and maintained along the southerly, easterly and westerly lot lines adjacent to the rear yard.

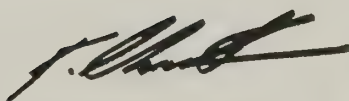
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1420.

4. Sheet No. E-66 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1420.

5. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of January A.D. 1999



Acting MUNICIPAL CLERK



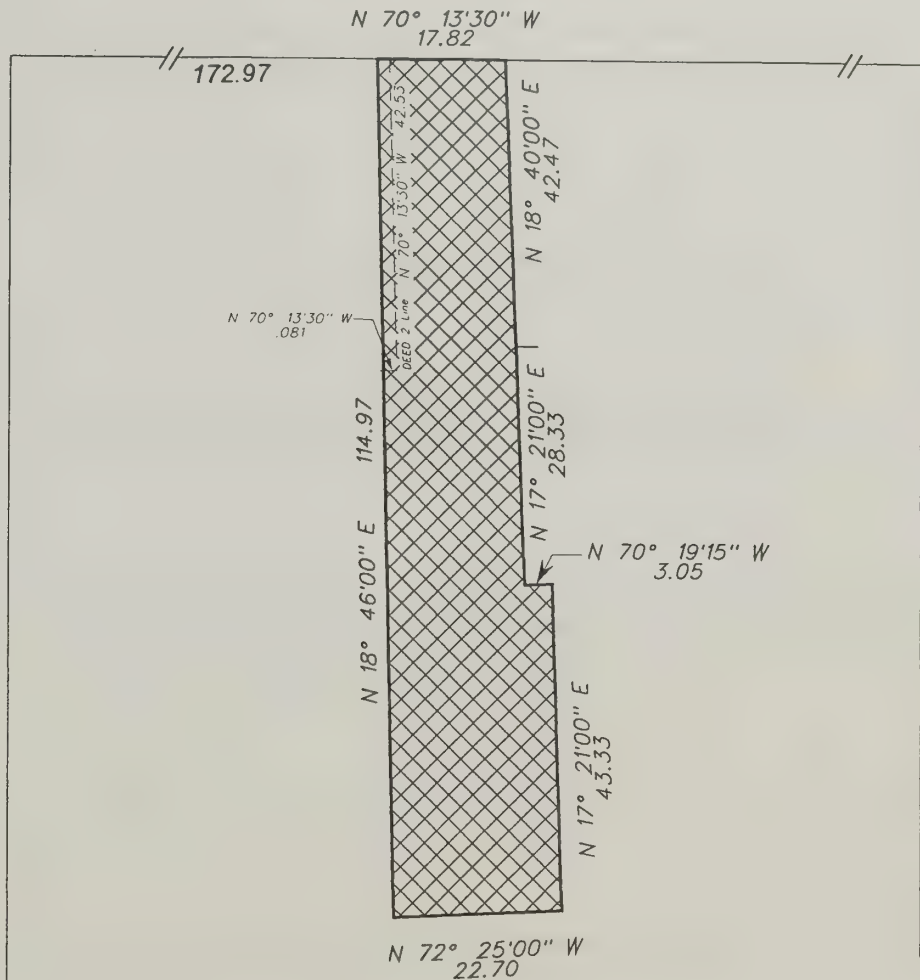

MAYOR

(1998) 22 R.P.D.C. 1, December 8
Jadwiga Weiss, Prospective Owner
ZAR-98-39

KENILWORTH AVENUE SOUTH

KING STREET EAST

ROSEDALE AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-008
Passed the 26th day of January, 1999.


Acting Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-008

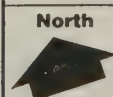
to Amend By-Law No. 6593

Planning and Development Department

Legend



Modification to the established "H" (Community Shopping and Commercial, etc.) District



Scale
NOT TO SCALE

Date
December 1998

Reference File No.

ZAR-98-39

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99-009

To Amend:

By-law No. 86-212

As Amended by By-laws No. 92-057 and 98-046

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE INTERNATIONAL VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-212, passed on the 25th day of June 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 76-19, passed on the 27th day of January 1976, known as the "International Village Business Improvement Area", more particularly described in By-law No. 76-19, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-057, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for editorial amendments to By-law No. 86-212;

AND WHEREAS By-law No. 98-046, passed on the 27th day of January 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-046;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 4 of the 22nd Report of the Planning and Development Committee on the 8th day of December 1998, directed that the composition of the Board of Management be further varied, in accordance with Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) Schedule "A" referred to in clause 2(a) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Alderman A. Horwath
Alderman R. Corsini

(b) Schedule "B" referred to in clause 2(b) of By-law No. 86-212, as amended, is repealed the following substituted therefor:

Paul Kircos	223-225 King Street East (owner)
Marie Petrou	181 and 183 King Street East (owner)
Gord Thompson	186, 190, 191 King Street East (owner)
Wolfgang Schoen	255 King Street East (owner)
Joe Collura	227 King Street East, Hotelevision (tenant)
Dean Taylor	233 King Street East, Hudsons (tenant)
John S. Kenyon	239 King Street East, JSK Pawnbrokers (tenant)

2. By-law No. 98-046 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-212, as amended, is hereby confirmed, unchanged.

PASSED this 26th day of January

A.D. 1999



Acting MUNICIPAL CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 99- 010

To Amend:

Zoning By-law No. 6593

As Amended by By-law 85-01

Respecting:

LAND LOCATED AT MUNICIPAL NO. 615 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 85-1 on the 8th day of January 1985 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the land located on the south-west corner of Mohawk Road West and Upper Paradise Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was enacted in accordance with the Ontario Municipal Board Order dated the 14th day of August 1984, (File No. Z 830046);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law No. 85-1, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) Section 2.(a)(i) of By-law No. 85-1 is hereby deleted and replaced with the following:

"(i) COMMERCIAL USES shall be prohibited except for:

(a) a self-serve gas station and repair garage;

(b) a convenience store with a drive-thru donut restaurant having a total maximum gross floor area of 156 square metres, and only as an accessory use to the self-serve gas station and repair garage;

(ii) a minimum of five (5) unobstructed vehicle stacked parking spaces within the access driveway to the drive-thru donut

restaurant shall be provided and maintained between the entrance to the drive-thru donut restaurant and the menu board."

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-801a.

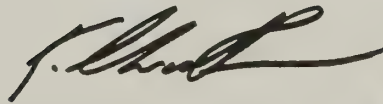
4. Sheet No. W-27 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-801a.

5. In all other respects, By-law No. 85-01 is hereby confirmed, unchanged.

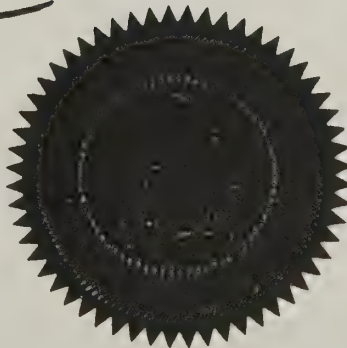
6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of January

A.D. 1999



Acting MUNICIPAL CLERK

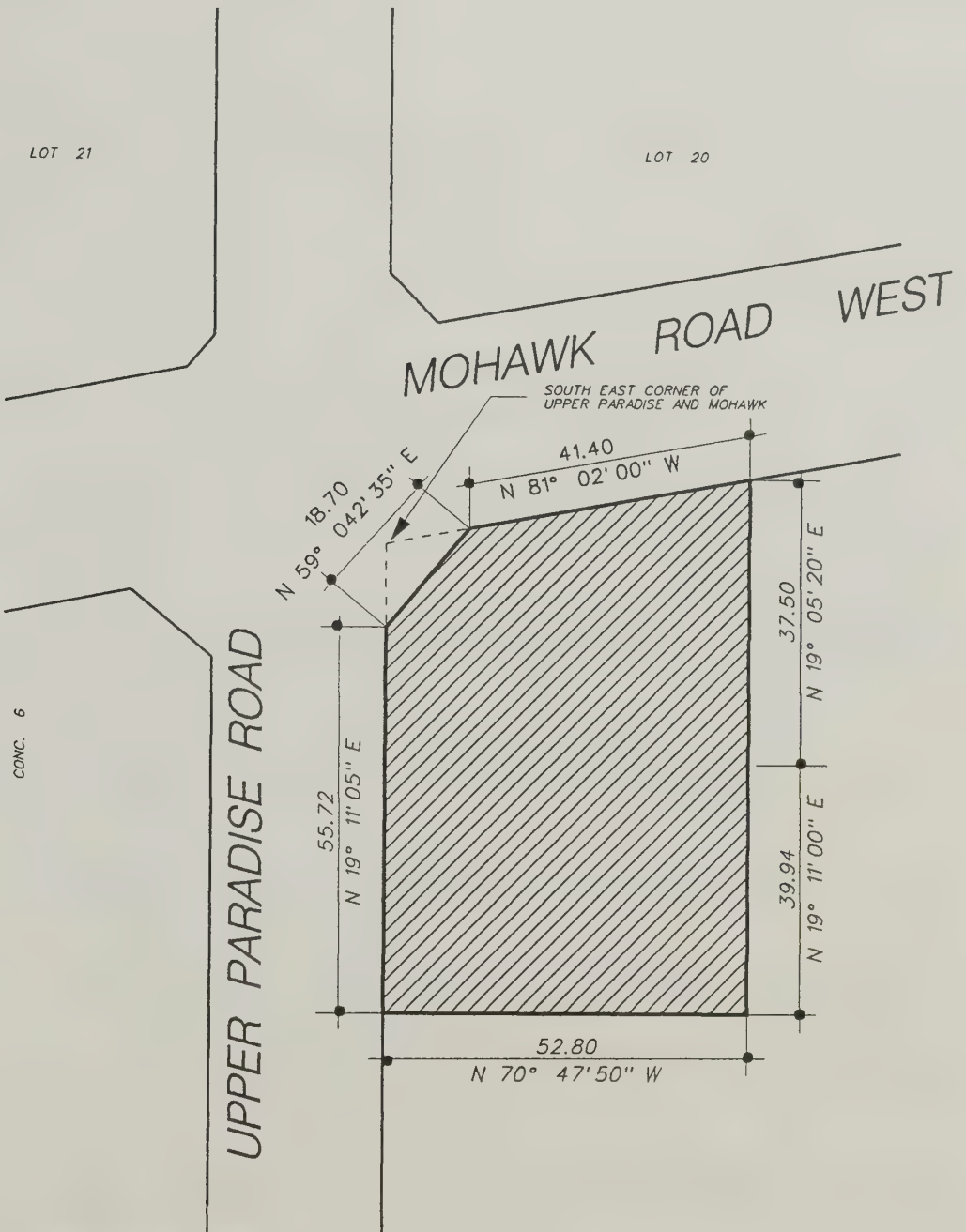



MAYOR

(1998) 20 R.P.D.C. 2, November 24
Sunoco, Owner
ZAC-98-35

LOT 21

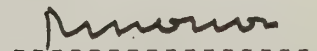
LOT 20



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-010
Passed the 26th day of January, 1999


Acting Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-010

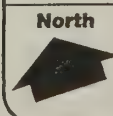
to Amend By-Law No. 6593

Planning and Development Department

Legend



Further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-35
	Date	Drawn By
	November 1998	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99-011

To Amend

By-law No. 93-167

Respecting

BUILDING PERMITS AND FEES

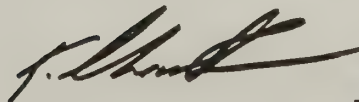
WHEREAS By-law 93-167 was enacted on July 27, 1993 concerning Building Permits and Fees;

AND WHEREAS Council, on November 24, 1998, in adopting Section 6 of the 20th Report of the Planning and Development Committee authorized an amendment to By-law No. 93-167;

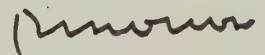
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section (6A), Paragraph (c), Sub-paragraph (iii) of By-law No. 93-167 is repealed and the following is substituted in lieu:
 - (iii) a scaled map of the site showing the legal description, lot size, property dimensions, existing rights-of-way, easements, or municipal/utility corridors; the location of items listed in Column 1 of the Table 8.2.1.5., 8.2.1.6.A, 8.2.1.6.B and 8.2.1.6.C; the location of the proposed sewage system; the location of any unsuitable, disturbed or compacted areas, and the proposed access routes for system maintenance,
2. Section 11.(c) of Schedule "A", of By-law No. 93-167 is amended by repealing the words "for lots with existing septic systems" and substituting in lieu "for lots with existing sewage systems."

PASSED this 26th day of January, 1999.



Acting MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99-012

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF BARTON STREET EAST, WEST OF
CENTENNIAL PARKWAY NORTH AND NORTH OF EASTGATE COURT,
LOCATED AT THE REAR OF MUNICIPAL NOS.
2420-2434 BARTON STREET EAST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No.152, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-103 and E-104 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "L-mr-1" (Planned Development - Multiple Residential) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, the lands comprised in Block "3",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A. of Zoning By-law No. 6593, applicable to the lands comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 16A.(1) of Zoning By-law No. 6593, the temporary use of the lands for the parking of motor vehicles in accordance with Section 39 of the Planning Act, for a period not exceeding three years from the day of the passing of the By-law shall be permitted; and,

- (b) a planting strip having a minimum width of 3.0 metres, with a visual barrier not less than 1.2 metres and not more than 2.0 metres in height, shall be provided and maintained along the southerly lot line and along the westerly lot line; and,
- (c) no vehicular access shall be permitted to Eastgate Court.

3. The "L-mr-1" (Planned Development - Multiple Residential) District provisions, as contained in Section 17B. of Zoning By-law No. 6593, applicable to the lands comprised on Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17B.(6)(a) of Zoning By-law No. 6593, the temporary use of the lands for the parking of motor vehicles in accordance with Section 39 of the Planning Act, for a period not exceeding three years from the day of the passing of the By-law shall be permitted; and
- (b) a planting strip having a minimum width of 3.0 metres, with a visual barrier not less than 1.2 metres and not more than 2.0 metres in height, shall be provided and maintained along the southerly lot line; and,
- (c) no vehicular access shall be permitted to Eastgate Court.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" and "L-mr-1" Districts provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1416.

6. Sheets No. E-103 and E-104 of the District Maps are amended by marking the lands referred to in sections 2 and 3 of this by-law, S-1416.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of January

A.D. 1999

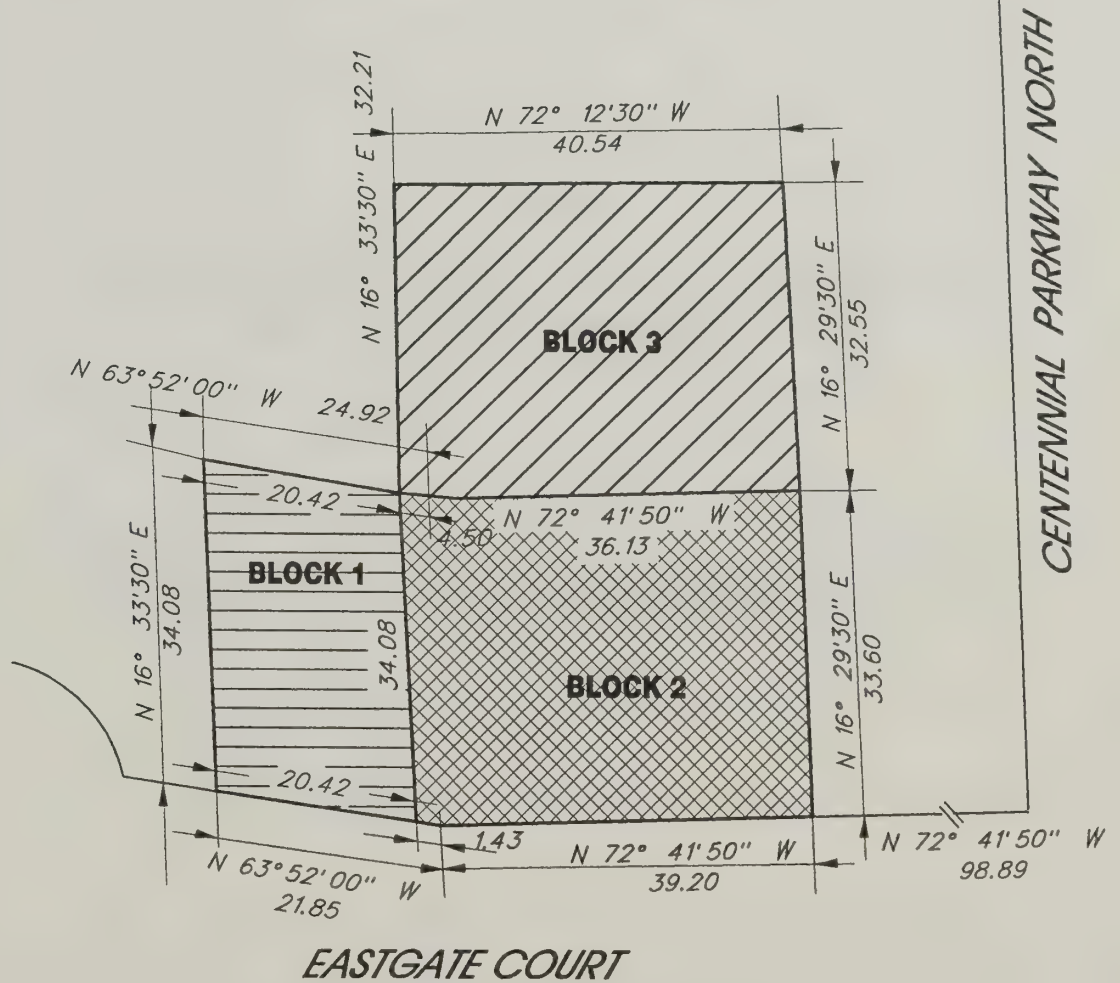


Acting MUNICIPAL CLERK



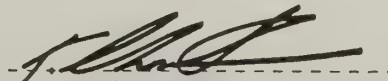
MAYOR

(1998) 17 R.P.D.C. 1, October 13
FDJ Holdings Inc., Owner
Amended ZAC-98-23



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-012
Passed the 26th day of January, 1999.


Acting Clerk


Mayor

City of Hamilton

Schedule "A"

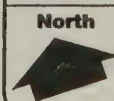
Map Forming Part of
By-Law No. 99-012

to Amend By-Law No. 6593

Planning and Development Department

Legend

- Block**
- 1  Modification to the "JJ" (Restricted Light Industrial) District
 - 2  Modification to the "Lmr-1" (Planned Development-Multiple Residential) District
 - 3  Change in zoning from:
"Lmr-1" (Planned Development-Multiple Residential) District to "HH" (Restricted Community Shopping and Commercial) District



Scale
NOT TO SCALE

Date
December 1998

Reference File No.
ZA-98-23

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 013

To Establish:

Site Plan Control

Respecting:

**LAND LOCATED SOUTH OF BARTON STREET EAST, WEST OF
CENTENNIAL PARKWAY NORTH AND NORTH OF EASTGATE COURT,
LOCATED AT THE REAR OF MUNICIPAL NOS.
2420-2434 BARTON STREET EAST**

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

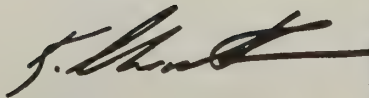
1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

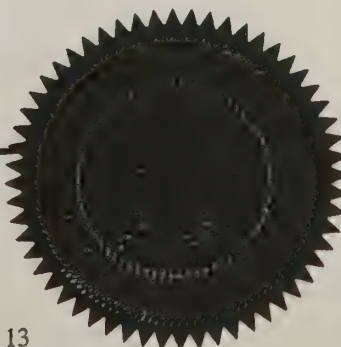
180. Land located at the rear of Municipal Nos. 2420-2434 Barton Street East, shown on Appendix 180 hereto annexed and forming part of this by-law.

2. Appendix 180 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 26th day of January

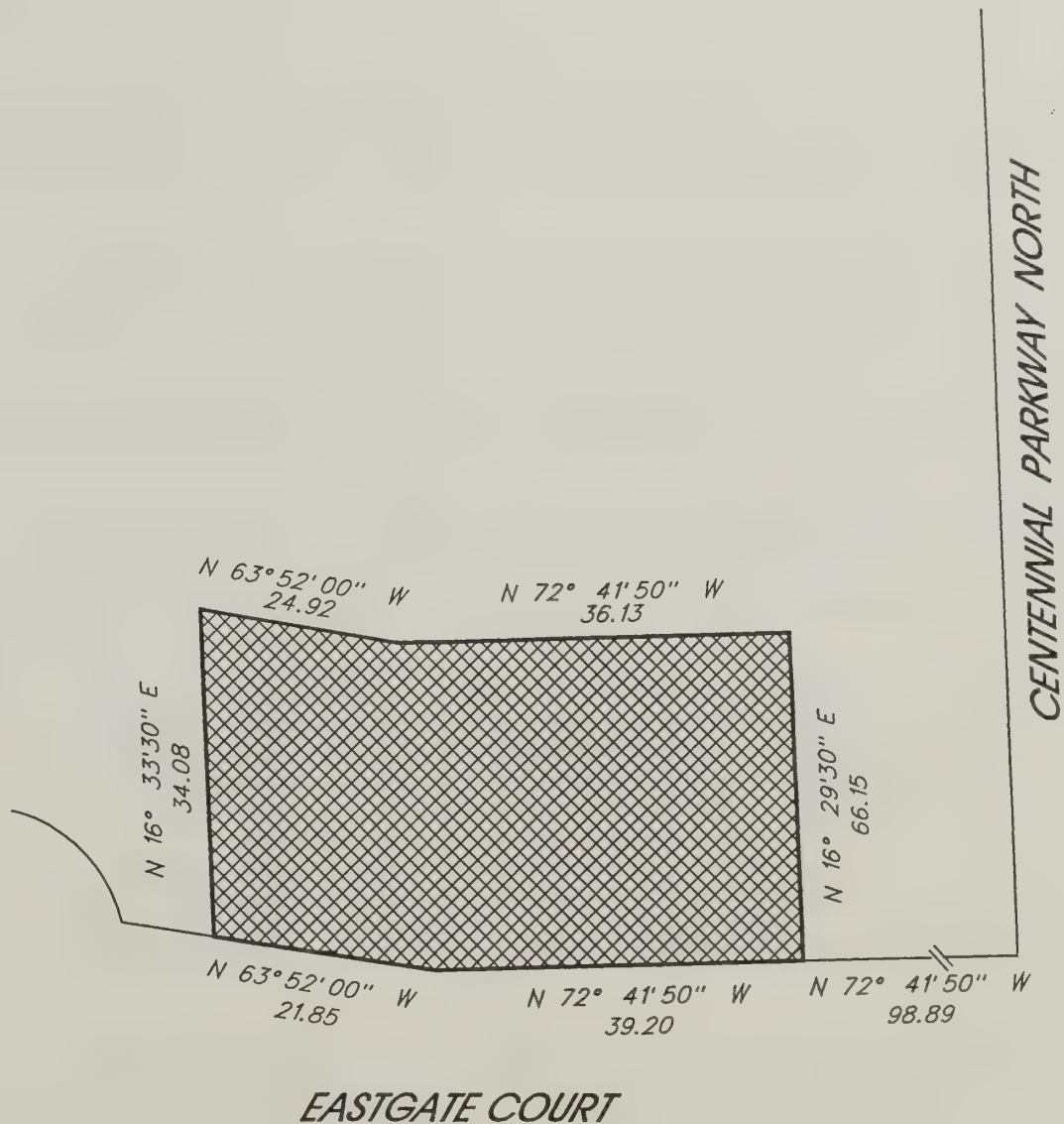
A.D. 1999


Acting MUNICIPAL CLERK




MAYOR

(1998) 17 R.P.D.C. 1, October 13
FDJ Holdings Inc., Owner
Amended ZAC-98-23



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-013
Passed the 26th day of January, 1999.


Acting Clerk


Mayor

City of Hamilton

Appendix 180

to By-Law No. 79-275

to Amend By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control pursuant
to section 41 of the Planning Act,
R.S.O., 1990



Scale
NOT TO SCALE
Date
December 1998

Reference File No.
ZA-98-23
Drawn By
B. B.

BY-LAW NO. 99 - 014

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26th DAY OF JANUARY 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of January 1999



ACTING MUNICIPAL CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 99- 015

To Enact:

AN INTERIM TAX LEVY

WHEREAS Section 370 of The Municipal Act, Chapter M.45, R.S.O. 1990, as amended by Bills 106, 149 and 164 provides that the Council of a local municipality may, in 1999 before the adoption of the estimates for the year, pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts raised for all purposes in the previous year on the properties that, in the current year, are in the property class;

AND WHEREAS The Fairness for Property Taxpayers Act, S.O. 1999, authorizes the City to add the unbilled final levy of 1998 for various property classes to the 1999 Interim Levy and imposes certain caps on the Industrial and Commercial Property categories.

AND WHEREAS Section 370 of The Municipal Act, also authorizes a Municipal Council, by-law, to reduce the taxes on a property if the Council is of the opinion that the Interim Levy on a property is excessive in relation to its estimate of the total taxes which will be levied on the property in 1998;

AND WHEREAS City Council, on February 2, 1999 authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

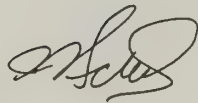
1. The interim tax levy rates in column 3, shown below, shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below, of Schedule "A".

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
Residential	RT	.0098
Multi-Residential	MT	.0254
Residual Commercial	CT/DT	.0384
Residual Commercial Vacant	CU/DU	.0269
Shopping Centre	ST	.0357
Shopping Centre Vacant	SU	.0250
Parking and Vacant Commercial Land	CX/GT	.0361
Residual Industrial	IT	.0621
Residual Commercial Vacant Land and Unit	IU/IX	.0403
Large Industrial	LT	.0648
Large Industrial Vacant	LU	.0421
Pipeline	PT	.0189
Farmland	FT	.0024
Managed Forest	TT	.0024
Rail Right of Way	WT CN	\$1,127.75 / Acre
Rail Right of Way	WT CP	\$1,361.27 / Acre
Utility Right of Way	UT	\$4,558.57 / Acre

2. Despite Section 1, the prelevy for Residential, Farmland and Managed Forest categories shall consist of one half of the 1998 final taxation rate, adjusted for one half of the 1999 phase in tax amounts.
3. The interim tax levy shall become due and payable in two instalments as follows:

Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 26th day of February, 1999 and the balance of the interim levy shall become due and payable on the 31st day of March, 1999 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.
4. Despite Section 1, the General Manager of Finance is hereby authorized to defer the billing of the final 1998 tax instalment and the prelevy billing of the Industrial, Commercial and the Multi-Residential property categories.
5. The penalties and interest on the interim taxes in arrears shall be specified by-law No. 94-189, consolidating By-law No. 71-69.
6. The interim tax levy rates shall also apply to any property added to the assessment Roll after this By-law is enacted.

PASSED this 2nd day of February, 1999.



MUNICIPAL CLERK



ACTING MAYOR

BY-LAW NO. 99 - 016

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 2ND DAY OF
FEBRUARY, 1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

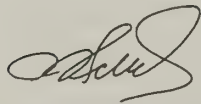
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

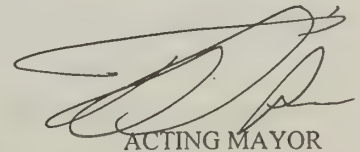
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 2nd day of February

A.D. 1999.



MUNICIPAL CLERK



ACTING MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 017

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Napier	South	Pearl to Ray	3 hr	8:00 am - 8:00 am (24hrs) Mon - Sun
Redfern	North	Sanatorium to Chedmac	1 hr	8:00 am - 4:00 pm Mon - Fri
Jewel	West	Redfern to Hepburn	1 hr	8:00 am - 4:00 pm Mon - Fri."

2. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Redfern	South	Sanatorium to Chedmac	Anytime
Jewel	East	Redfern to Gem	Anytime."

3. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Emerald	East	commencing 63 feet south of Birge to a point 17 feet southerly	Anytime"
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and by deleting therefrom the following items, namely:-

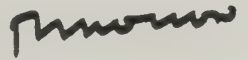
"Napier	South	Pearl to 191 feet easterly	Anytime
Francis	South	from a point 115 feet west of Cheever to a point 21 feet westerly therefrom	Anytime."

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
5. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 9th day of February 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 018

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 29 (No Stopping Areas)** of By-law 89-72, as amended, is hereby amended by adding thereto the following item, namely:-

"Redfern Both Sanatorium to 100 feet westerly Anytime."

2. That **Schedule 35 (Wheelchair Loading Zones)** of the said By-law is hereby amended by adding thereto the following items, namely:-

"East 23rd West 19 feet 162 feet north of Anytime
Queensdale

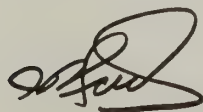
Kinrade East 30 feet 517 feet south of Barton 9:00 am - 5:00 pm
Mon - Sun."

and by deleting therefrom the following item, namely:-

"East 23rd West 19 feet 162 feet north of 8:00 am - 4:00 pm
Queensdale Mon - Sun."

3. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
4. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 9th day of February 1999.



MUNICIPAL CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99-019

To Amend:

By-law No. 87-308

As Amended by By-laws No. 92-079, 98-118 and 98-149

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", (now known as the "Barton Village Business Improvement Area"), more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302, (now Section 220(1) and Section 220(6) of the Municipal Act, R.S.O. 1990, Chapter M.45);

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 98-118, passed on the 14th day of April 1998, varied the composition of the Board of Management;

AND WHEREAS By-law No. 98-149, passed on the 26th day of May 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-laws No. 98-118 and 98-149;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 7 of the 1st Report of the Planning and Development Committee on the 26th day of January 1999, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Haining
Alderman A. Horwath
Alderman R. Corsini

2. Schedule "B" referred to in clause 2.(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

D. Boukhers
J. Hendry
S. Manners
J. Hilger
J. Howard
P. Nusca
M. Tollis
N. LaSala
R. Palmese
K. Cody

Farah's Foodmart
Hendry's Family Shoes
Siemens Westinghouse Inc.
Ways to Wisdom
Econ-o-wash Laundry
Nusca Custom Tailors Ltd.
Riviera Banquet Centre
Nick's Auto Service
Palmese Photodesign Group Inc.
Orthopaedic Services

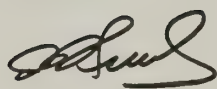
3. By-laws No. 98-118 and 98-149 are hereby repealed in their entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

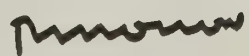
PASSED this 9th day of

February

A.D. 1999



MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99-020

To Repeal:

By-law No. 79-300

**TO AUTHORIZE PAYMENT OF EXPENSES OF MEMBERS OF COUNCIL,
OFFICERS, SERVANTS AND OTHER PERSONS APPOINTED TO
A LOCAL BOARD OR OTHER BODY**

WHEREAS By-law No. 79-300 was enacted by Council on October 30, 1979 to authorize payment of expenses of members of Council, Officers, Servants and Other Persons Appointed to a Local Board or Other Body;

AND WHEREAS Council on November 24, 1998, in adopting Section 3 of the 22nd Report of the Finance and Administration Committee authorized the repeal of By-law No. 79-300;

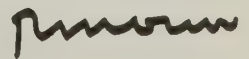
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

By-law No. 79-300 is hereby repealed in its entirety.

PASSED this 9th day of February, 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-021

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 9th day of February 1999, A.D.,



MUNICIPAL CLERK



MAYOR



SCHEDULE "A"
EXTENSION AGREEMENTS

- | | |
|---------------------|---------------------|
| 1) PROPERTY ADDRESS | 121 JUNE ST. |
| SERIAL NUMBER | 07 08810 2070 |
| REDEMPTION DATE | JANUARY 5, 2000 |
| 2) PROPERTY ADDRESS | 196 SHERMAN AVE. S. |
| SERIAL NUMBER | 03 02460 7950 |
| REDEMPTION DATE | NOVEMBER 26, 1999 |

BY-LAW NO. 99 - 022

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9th DAY OF FEBRUARY 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

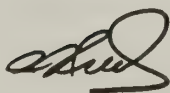
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of February 1999



MUNICIPAL CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99-023

To Amend

By-law No. 99-015

Respecting:

AN INTERIM TAX LEVY

WHEREAS Bylaw No. 99-015, passed on the 2nd day of February 1999, provided for an interim tax levy under Section 370 of The Municipal Act, Chapter M.45, R.S.O. 1990, as amended by Bills 106, 149 and 164 and The Fairness for Property Taxpayers Act, S.O. 1999;

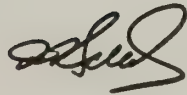
AND WHEREAS it is intended to amend the dates on which the interim tax levy shall become due and payable;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

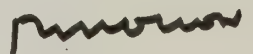
1. Section 3 of By-law No 99-015, is repealed and the following substituted therefor:
 - "3. The interim tax levy shall become due and payable in two instalments as follows:

Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 1st day of March, 1999 and the balance of the interim levy shall become due and payable on the 31st day of March, 1999 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default."
2. In all other respects, By-law No. 95-015 is hereby confirmed, unchanged.

PASSED this 9th day of February, 1999.



MUNICIPAL CLERK



MAYOR

By-law
OMB Order
99-024
February 12, 1999

99-024 Issued by Board Order on January 7, 1999 RE: O.P.A. 147 for 135 Fennell
Avenue West

The Corporation of the City of Hamilton

BY-LAW NO. 99-025

To Amend By-law 98-243 Respecting:

MAINTAINING ELEVATORS IN OPERATING CONDITION

WHEREAS it is expedient to amend the Property Standards By-law No. 98-243 to provide standards for certain buildings with elevators;

AND WHEREAS property standards may be set through by-laws passed under the authority of the Building Code Act, S. O. 1992, c. 23, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-243 as amended, being the Property Standards By-law, is hereby further amended by adding the following heading and section after section 20:

ELEVATORS

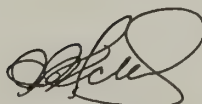
"20a. (1) Subject to subsection (3), a multiple dwelling more than three (3) storeys in height but not more than six (6) storeys in height and which has an elevator or elevators for the use of tenants, shall have at least one elevator maintained and operable except for such reasonable time as may be required for repair or replacement.

(2) Subject to subsection (3), a multiple dwelling more than six (6) storeys in height and which has an elevator or elevators for the use of tenants, shall have all elevators maintained and operable except for such reasonable time as may be required for repair or replacement.

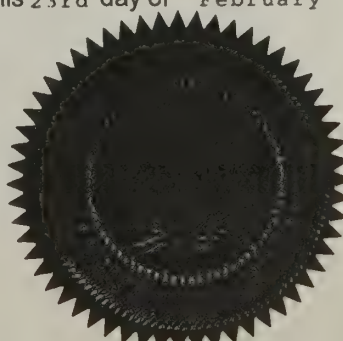
(3) In the event of conflict with the Elevating Devices Act, R.S.O 1990, c. E.8, the regulations passed under such act, both as amended, or an order issued under that act, the act, regulation or order prevails to the extent of the conflict.

2. (1) This by-law comes into force of the day of its enactment.
- (2) In all other respects By-law 98-243 as amended is confirmed without change.

PASSED this 23rd day of February A.D. 1999.



Municipal Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99 - 026

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF STONE CHURCH ROAD WEST
AND WEST OF WEST FIFTH STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the lands comprised in Block 1;
- (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block 2; and,
- (c) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc) District, the lands comprised in Block 3.

the extent and boundaries each of which Blocks "1", "2" and "3" are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 23rd day of

February

A.D. 1999



MUNICIPAL CLERK



MAYOR

(1998) 22 R.P.D.C. 2.B, December 8
Alfredo & Emidio Massi, Owners
Amended ZAC-98-34

The Corporation of the City of Hamilton

BY-LAW NO. 99- 027

To Amend:

By-law No. 98-217

Respecting:

THE LEVYING OF TAXES FOR THE YEAR 1998

WHEREAS By-law No. 98-217 was enacted on August 12, 1998 to levy the 1998 tax rates;

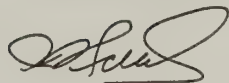
AND WHEREAS the Province of Ontario announced that the Municipal Act and the Assessment Act will be further amended to place certain tax increase caps on the commercial and industrial tax categories;

AND WHEREAS By-law No. 98-311 authorized the deferral of the issuance of the final tax instalment for 1998 for the commercial and industrial tax categories;

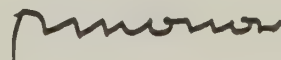
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The General Manager - Finance is authorized to issue the final tax instalment for 1998 for any properties having assessments, in full or in part, in the commercial and industrial classes, which final tax instalment shall be due and payable on March 31, 1999.

PASSED this 23rd day of February, 1999.



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 - 028

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 23RD DAY OF FEBRUARY 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 23rd day of February 1999



MUNICIPAL CLERK




MAYOR

CAY ON HBC 1103
B 91

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 029

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That By-law 89-72, as amended, is hereby further amended by deleting **Section 45** in its entirety therefrom and by substituting in its place the following Section, namely:-

"45. Any person who contravenes any provision of this by-law is guilty of an offence and is subject to a penalty as provided for under the Provincial Offences Act."

2. That **Schedule 24 (Parking Meter Locations)** of said By-law is hereby further amended by adding to **Section 2.(b) (Two Hour Limit/One Dollar Per Hour)** thereof the following item, namely:-

"Caroline West King to Hunter"

3. That **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Redfern	North	Jewel to Chedmac	1 hr	8am - 4pm	Mon - Fri
Redfern	North	Sanatorium to Jewel	1 hr	8am - 8pm	Mon - Fri
Herkimer	North	commencing 92 feet west of Locke and extending 403 feet westerly therefrom	1 hr	8am - 6pm	Mon - Fri"

and by deleting therefrom the following item, namely:-

"Redfern North Sanatorium to Chedmac 1 hr 8am - 4pm Mon - Fri"

4. That **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Greenshire	South & East	commencing 135 feet south of Stanlow and extending 119 feet southerly therefrom	Anytime
Rebecca	South	commencing at Hughson and extending 80 feet easterly therefrom	Anytime"

and by deleting therefrom the following item, namely:-

"Caroline	West	Jackson to Hunter	Anytime"
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5. That **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Niagara	East	commencing 153 feet north of Munroe and extending 20 feet northerly therefrom	Anytime
Albany	North	commencing 242 feet east of Harmony and extending 17 feet easterly therefrom	Anytime
Ferrie	North	commencing 286 feet east of Mary and extending 16 feet easterly therefrom	Anytime
MacNab	East	commencing 56 feet north of Macauley and extending 18 feet northerly therefrom	Anytime
Gertrude	North	commencing 78 feet east of Rowanwood and extending 20 feet easterly therefrom	Anytime
Cope	East	commencing 40 feet south of Barton and extending 19 feet southerly therefrom	Anytime
Locke	East	commencing 68 feet south of Barton and extending 24 feet southerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"Case	South	commencing at a point 69 feet west of Ruth to a point 24 feet westerly therefrom	Anytime
Case	North	commencing at a point 170 feet west of Ruth to a point 23 feet westerly therefrom	Anytime
Hughson	West	commencing at Macauley and extending 212 feet southerly therefrom	Anytime
Royal	South	commencing 231 feet west of Emerson and extending 24 feet westerly therefrom	Anytime"

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

6. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 9 th day of March 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-030

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Vineburg	Eastbound and Westbound	Upper Wentworth
Richmond	Southbound	Hill
Torino	Southbound	Dicenzo"

2. That **Schedule 28 (Taxi Stands)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"East 26 th	East	80 feet	207 feet north of Queensdale	7:00 a.m. - 6:00 p.m. Monday to Friday"
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3. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Bay	West	Strachan to Burlington	4 - 6 p.m	Mon - Fri
Caroline	West	King to a point 112 feet northerly therefrom		Anytime
Brigade	North	commencing 41 feet west of the west curb line of Byng and extending 134 feet easterly therefrom		Anytime"

and by deleting therefrom the following items, namely:-

"Bay	West	Barton to Burlington	4 - 6 p.m.	Mon - Fri
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Caroline	West	From 49 ft. south of Main to 24 ft. southerly	4 - 6 p.m.	Mon - Fri
Caroline	West	From 112 ft. north of King to Jackson		Anytime
Caroline	West	Jackson to Hunter	4 - 6 p.m.	Mon - Fri"

4. That **Schedule 31 (School Bus Loading Zones)** of the said By-law is hereby amended by adding thereto the following items, namely:-

"Albright	South	67 feet	175 feet east of Harrisford	7:00 a.m. - 6:00 p.m. Monday to Saturday
Lynbrook	South	40 feet	175 feet west of Rolston	7:00 a.m. - 6:00 p.m. Monday to Saturday
East 26 th	East	49 feet	284 feet north of Queensdale	7:00 a.m. - 6:00 p.m. Monday to Friday
Colcrest	South	98 feet	commencing 118 feet east of the east curb line of Seabrooke	7:00 a.m. - 6:00 p.m. Monday to Saturday
Britannia	South	70 feet	commencing 20 feet west of the west curb line of Alice	7:00 a.m. - 6:00 p.m. Monday to Saturday"

and by deleting therefrom the following items, namely:-

"Harrisford	East	36 feet	commencing at a point 165 feet south of the south curb line of Albright	11:00 a.m. - 2:00 p.m. Monday to Friday
Rolston	West	120 feet	commencing at a point 254 feet south of Miami	7:00 a.m. - 6:00 p.m. Monday to Saturday
Colcrest	South	40 feet	commencing at a point 118 feet east of the east curb line of Seabrooke Drive	7:00 a.m. - 6:00 p.m. Monday to Saturday"

5. That **Schedule 35 (Wheelchair Loading Zones)** of the said By-law is hereby amended by adding thereto the following items, namely:-

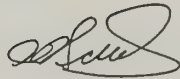
"Berkindale	East	26 feet	193 feet north of Bellamy	8:00 a.m. - 5:00 p.m. Monday to Friday
East 26 th	East	25 feet	157 feet north of Queensdale	7:00 a.m. - 6:00 p.m. Monday to Friday
West 2 nd	East	28 feet	185 feet north of Wembley	8:00 a.m. - 10:00 p.m. Monday to Friday
Ferndale	West	28 feet	110 feet south of Dunkirk	Anytime"

and by deleting therefrom the following items, namely:-

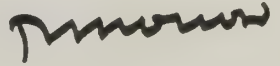
"Lynbrook	South 25 feet	190 feet west of the west curb line of Rolston	7:00 a.m. - 6:00 p.m. Monday to Saturday"
Mons	North 20 feet	48 feet east of Avondale	Anytime"

6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
7. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 9 th day of March 1999.



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99-031

To Amend

By-law No. 87-144

Respecting:

MUNICIPAL WEED INSPECTORS

WHEREAS By-law No. 87-144, passed on the 12th day of May 1987, provided for the appointment of Municipal Weed Inspectors under subsections 6(1) and 8(1) of the Weed Control Act, R.S.O. 1980, Chapter 530, (now R.S.O. 1990, Chapter W.5);

AND WHEREAS By-law No. 87-144 was amended by By-law No. 95-057;

AND WHEREAS it is intended to revise the list of appointed Municipal Weed Inspectors;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 87-144, as amended by By-law No. 95-057, is repealed and the following substituted therefor:

"The following person is hereby appointed Chief Weed Inspector to enforce the Weed Control Act in the City of Hamilton.

D. Lobo, Commissioner of Public Works and Traffic"

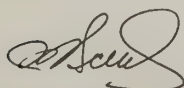
2. Section 2 of By-law No. 87-144, as amended by By-law No. 95-057, is repealed and the following substituted therefor:

- "2. The following persons are hereby appointed Municipal Weed inspectors to enforce the Weed Control Act in the City of Hamilton.

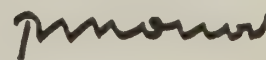
R. Aldridge	J. Dodman	D. Pierce
P. Booker	A. Does	A. Polowy
R. Boutcher	R. Duckworth	J. Pook
J. Bovaird	C. Gibbs	S. Taylor
D. Boyer	R. Guenther	P. Tompkins
R. Campanella	C. Manning	J. Turner
S. Capostagno	J. McShane	R. Yanke
R. Del Conte	T. Perry"	

3. In all other respects, By-law No. 87-144 is hereby confirmed, unchanged.

PASSED this 9th day of March, 1999.



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW 99-032

To Amend By-law 80-179

Respecting the Hess Street Village Pedestrian Mall

WHEREAS paragraph 110 of section 354(1) of the Municipal Act, R.S.O. 1970, Chapter 284, provides that by-laws may be passed by the councils of local municipalities:

Subject to the approval of the Minister of Transportation and Communications, to establish all or any part of any street solely or principally as a way for the use of pedestrians and for prohibiting the use thereof by vehicles or any class thereof except to such extent of for such period or periods as may be specified;

AND WHEREAS By-law 80-179 was passed and enacted on the 24th day of June, A.D. 1980, by the council of The Corporation of The City of Hamilton to establish a pedestrian mall or way on George Street between Queen Street South and Hess Street South;

AND WHEREAS the Council of the Corporation of the City of Hamilton in adopting Item 20 of the FIRST Report of the Transport and Environment Committee at its meeting held on the 26th day of January 1999, directed that By-law 80-179, as amended to date, be amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Section 1 of By-law 80-179, as amended, be further amended by deleting sub-section (b) therefrom, in its entirety, and substituting in its place the following sub-section, namely:-
 - "(b) "authorized emergency vehicle" includes:
 - (i) any vehicle owned or operated by the Corporation of the City of Hamilton;
 - (ii) any vehicle owned or operated by the Regional Municipality of Hamilton-Wentworth;
 - (iii) any vehicle owned or operated by the Hamilton-Wentworth Regional Police Service or any Ministry of the Province of Ontario;
 - (iv) any vehicle owned or operated by an ambulance service, a mortuary, or a funeral home;
 - (v) any vehicle owned or operated by a public utility company, including but not limited to vehicles owned or operated by a postal service, telephone company, natural gas utility, hydro electric power provider, and any other public utility, telegraph, or telecommunications company, provided that such vehicles are each clearly identified by a crest or other markings and are actively engaged in the provision of the services offered by the utility; and
 - (vi) any service vehicle owned or operated by a licensed towing agency while actively providing a towing service or performing an emergency road-side repair."

2. That Section 1 of said by-law is further amended by adding thereto the following sub-sections, namely:-

- "(c) "disabled person" includes a person who is disabled such that his or her mobility is impaired to an extent whereby they hold, or would be entitled to hold, a Ministry of Transportation Disabled Person Parking Permit, as certified by a physician practising within the Province of Ontario;
- (d) "chief of police" means the Chief Constable of the Hamilton-Wentworth Regional Police Service;
- (e) "city" means the City of Hamilton;
- (f) "authorized commercial vehicle" means,
 - (i) a vehicle licensed as a commercial vehicle under the Highway Traffic act, while actively engaged in the delivery of merchandise or goods to or from a property within or abutting the pedestrian mall or way, or actively engaged in the loading of merchandise or goods at a property within or abutting the pedestrian mall or way; or,
 - (ii) a vehicle which has attached to both of its sides a sign of not less than 150 square inches in size, identifying the person, business or company operating the vehicle or in whose service the vehicle is operated, while actively engaged in the delivery of merchandise or goods to or from a property within or abutting the pedestrian mall or way, or actively engaged in the loading of merchandise or goods at a property within or abutting the pedestrian mall or way; or,
 - (iii) a taxi cab which is actively engaged in the delivery of a parcel or goods to or from a property within or abutting the pedestrian mall or way, or the transporting of passengers to or from a property within or abutting the pedestrian mall or way;
- (g) "commissioner of engineering" means the Commissioner of Engineering for the Regional Municipality of Hamilton-Wentworth;
- (h) "commissioner of public works and traffic" means the Commissioner of Public Works and Traffic for the Corporation of the City of Hamilton;
- (i) "council" means the council of the City of Hamilton;
- (j) "drive" includes ride, lead and herd and "driver" shall include the person in charge or control of any animal or vehicle;
- (k) "fee" means an amount of money, if any, payable for any permit providing for an exemption under this by-law or any other permit or license, but does not include taxes under The Assessment Act;
- (l) "fire department" means the Fire Department of the City of Hamilton;
- (m) "property owner" means the person holding title to land, or the person who owns a building or other real estate;

- (n) "exemption permit" means a permit issued by the Commissioner of Public Works and Traffic, the Chief of Police or the Mall Authority exempting the permit holder from one or more of the provisions of this by-law;
 - (o) "pedestrian" includes but is not limited to a person using a wheel chair or similar device, and a child in a baby carriage or on a play vehicle;
 - (p) "street maintenance" includes but is not limited to street cleaning, snow removal, road construction and any other operation whereby the highway or any portion thereof is repaired, maintained, improved, restored or preserved;
 - (q) "constable" means a police constable;
 - (r) "By-law Enforcement Officer" means a By-law Enforcement Officer for the City of Hamilton appointed for the purpose of enforcing the provisions of this By-law, and includes, but is not limited to, a Parking Control Officer;
 - (s) "loading" shall be deemed to include unloading;
 - (t) "vehicle" shall exclude wheelchairs and powered scooters of any description while being operated by, or otherwise under the care and control of a disabled person."
3. That said by-law is hereby amended by deleting Section 2, in its entirety, therefrom and by substituting in its place the following Section, namely:-
- "2a George Street between Queen Street South and Hess Street South is hereby established as a pedestrian mall or way and shall be known as "The Hess Street Village Pedestrian Mall"
4. That said by-law is hereby amended by adding thereto the following Section, namely:-
- "2b It shall be the duty of the members of the Hamilton-Wentworth Regional Police, special constables in the employ of the City, and by-law enforcement officers, generally, to control and direct traffic, give such direction and do such things as may be necessary for that purpose, and enforce the provisions of this by-law."
5. That said by-law is hereby amended by deleting Section 4 therefrom, in its entirety, and substituting in its place the following Section, namely:-
- "4. (1) No person shall drive a vehicle along, across or upon the pedestrian mall save and except:
- (a) an authorized emergency vehicle; or,
 - (b) an authorized commercial vehicle; or,
 - (c) a vehicle for which a permit has been issued under the provisions of Section 5, herein.

- (2) No person shall stop a vehicle in or upon the pedestrian mall save and except:
 - (a) an authorized emergency vehicle; or,
 - (b) an authorized commercial vehicle; or,
 - (c) a vehicle for which a permit has been issued under the provisions of Section 5, herein."

- 6. That said by-law is hereby amended by deleting Section 5 therefrom, in its entirety, and substituting in its place the following Section, namely:-
 - "5. (a) The Chief of Police, the Commissioner of Public Works and Traffic and the Mall Authority may issue permits for the purpose of exempting such vehicles as are identified on the face of the permit as issued from such provisions of this by-law and for such purposes and for such periods of time as may be deemed necessary and appropriate.
 - (b) Permits issued under Section 5(a) remain the property of the issuing authority and may be revoked at any time and without notice.
 - (c) Permits issued under Section 5(a) shall expire and cease to be in force and effect on the date of expiry, if any, as indicated upon the face of the permit as issued.
 - (d) Permits issued under Section 5(a) shall be clearly displayed in the front left hand side of the vehicle to which the permit was issued, in a manner ensuring that the permit is visible from the exterior of the vehicle and failure to display a permit in the prescribed manner will render the vehicle to which it was issued subject to enforcement, as if the permit were not in force and effect."

- 7. That said by-law is hereby amended by deleting Section 5a therefrom, in its entirety, and by substituting in its place the following Section, namely:-
 - "5a. (1) Upon any alleged contravention of any provision respecting parking, standing or stopping, a constable or by-law enforcement officer observing same may attach to the vehicle a serially numbered parking tag bearing the licence number and a general description of the vehicle, and specifying the alleged offence.
 - (2) A constable or by-law enforcement officer, upon the discovery of a vehicle parked, standing or stopped in contravention of this by-law may cause the vehicle to be moved or taken to and placed or stored in a suitable place.
 - (3) All costs and charges for removing, care and storage of a vehicle taken under the provisions of this by-law are a lien upon the vehicle which may be enforced in the manner as provided under the Repair and Storage Liens Act.

- (4) Any person may, upon presentation of the tag to the city treasurer, within seven days of the date of the tag, pay a penalty out of court in respect of the alleged offence.
 - (5) Where a tag is not paid within seven days in accordance with subsection 4, Section 6 shall apply."
8. That said by-law is hereby amended by deleting Section 6 therefrom, in its entirety, and substituting in its place the following Section, namely:-
- "(6) Any person who contravenes any provision of this by-law is guilty of an offence and is liable to a penalty under the provisions of the Provincial Offences Act."
9. That said by-law is hereby amended by deleting Schedule A therefrom, in its entirety.
10. This by-law shall come into force and effect on the date of its passing and enactment.

PASSED this 9th day of March A.D. 1999.



Municipal Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99—033

To Extend By-law No. 98-087

Respecting:

Land within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

AND WHEREAS the Council of the Corporation of the City of Hamilton enacted By-law No. 98-087 on March 10, 1998 to remove the lands described in section 1 thereof from part lot control, which expires on March 15, 1999,

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 98-087, as it relates to Lots 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 30, and 31, Registered Plan 62M-825 only;

AND WHEREAS approval under subsection (7.1) of the Planning Act is not required for an extension in accordance with Subsection (7.4) of the Planning Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 98-087 is hereby repealed and the following substituted therefor:

"(c) Other than Lots 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 30, and 31, this By-law shall no longer be of any force and effect. As it relates to Lots 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 30, and 31, this By-law expires on April 1, 2000."

2. Section 1. of By-law No. 98-087 is hereby repealed and the following substituted therefor:

"Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating maintenance easements only, to the following lands:

Lots 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 30, and 31, within Registered Plan Number 62M-825, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."

3. In all other respects, By-law No. 98-087 is hereby confirmed, unchanged.

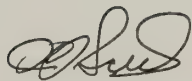
4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 98-087.

PASSED this 9th

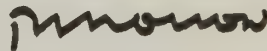
day of

March

A.D. 1999.



MUNICIPAL CLERK

MAYOR

(1998) _ R.P.D.C. _ October 7
822827 Ontario Inc., Owner
PLC-97-04

The Corporation of the City of Hamilton

BY-LAW NO. 99 — 034

To Remove
Land within the "Eagleview Estates, Phase 1" Subdivision, Plan 62M-829
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating two (2) parcels of land to be developed with the abutting lands shall not apply to the following lands:

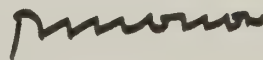
Block 21 within Registered Plan Number 62M-829, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on December 1, 1999.

PASSED this 9th day of March A.D. 1999.



Municipal Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99- 035

To Amend:

By-law No. 86-144

As Amended by By-laws No. 95-047 and 98-048

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, and established by By-law No. 84-38, passed on the 14th day of February 1984, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-047, passed on the 14th day of February 1995, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-144;

AND WHEREAS By-law No. 98-048, passed on the 27th day of January 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-048;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 5 of the 4th Report of the Planning and Development Committee at its meeting held on the 23rd day of February 1999, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in 2(a) of By-law No. 86-144, as amended, is repealed and the following substituted therefor:

Alderman T. Anderson
Alderman B. Kelly

2. Schedule "B" referred to in 2(b) of By-law No. 86-144, as amended, is repealed and the following substituted therefor:

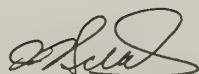
Rino Bistoyong	616 Concession St.	Canfin Financial Group Inc., (Owner)
Debby Johnson	576 Concession St.	Why Pay More (Tenant)
Paul Wharton	552 Concession St.	Wharton Copy Print (Owner)
Roger Burrough	588 Concession St.	Camtech Photo Services (Owner)
John Woolcott	536 Concession St.	Woolcott Shoes (Owner)
Betty Toplack	560 Concession St.	Mountain Book Store (Tenant)

3. By-law No. 98-048 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-144, as amended, is hereby confirmed, unchanged.

PASSED this 9th day of March

A.D. 1999



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 036

To Amend:

By-law No. 87-308
As Amended by By-laws No. 92-079 and 99-019

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE BARTON VILLAGE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 87-308, passed on the 10th day of November 1987, provided for a Board of Management of the Improvement Area designated by By-law No. 87-178, passed on the 23rd day of June 1987, known as the "Barton General Business Improvement Area", (now known as the "Barton Village Business Improvement Area"), more particularly described in By-law No. 87-178, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302, (now Section 220(1) and Section 220(6) of the Municipal Act, R.S.O. 1990, Chapter M.45);

AND WHEREAS By-law No. 92-079, passed on the 20th day of March 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 87-308;

AND WHEREAS By-law No. 99-019, passed on the 9th day of February 1999, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 99-019;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 4 of the 4th Report of the Planning and Development Committee on the 23rd day of February 1999, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

Alderman B. Morelli
Alderman D. Haining
Alderman A. Horwath
Alderman R. Corsini

2. Schedule "B" referred to in clause 2.(b) of By-law No. 87-308, as amended, is repealed and the following substituted therefor:

D. Boukhers
J. Hendry
S. Manners
J. Hilger
J. Howard
P. Nusca
M. Tollis
N. LaSala
R. Palmese
K. Cody
J. Sellers

Farah's Foodmart
Hendry's Family Shoes
Siemens Westinghouse Inc.
Ways to Wisdom
Econ-o-wash Laundry
Nusca Custom Tailors Ltd.
Riviera Banquet Centre
Nick's Auto Service
Palmese Photodesign Group Inc.
Orthopaedic Services
Sottomayor Bank of Canada

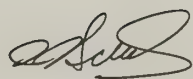
3. By-law No. 99-019 is hereby repealed in its entirety.

4. In all other respects, By-law No. 87-308, as amended, is hereby confirmed, unchanged.

PASSED this 9th day of

March

A.D. 1999



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 - 037

**CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 9TH DAY OF MARCH 1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

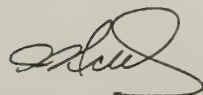
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of March 1999



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 -038

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 16th DAY OF
MARCH, 1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

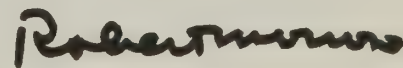
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 16TH day of March

A.D. 1999



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 039

To Amend:

By-law No. 86-73

As Amended by By-laws No. 92-058 and 98-063

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT
OF THE DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-73, passed on the 11th day of February 1986, continued the Board of Management established by By-law No. 83-71, passed on the 22nd day of February 1983, of the Improvement Area designated by By-law No. 82-151, passed on the 29th day of June 1982, known as the "Downtown Hamilton Business Improvement Area", more particularly described in By-law No. 82-151, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-058, passed on the 11th day of February 1992 varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-73;

AND WHEREAS By-law No. 98-063, passed on the 10th day of February 1998, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 98-063;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 3 of the 6th Report of the Planning and Development Committee at its meeting held on the 9th day of March 1999, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2.(a) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

Alderman A. Horwath
Alderman R. Corsini

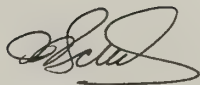
2. Schedule "B" referred to in clause 2.(b) of By-law No. 86-73, as amended, is repealed and the following substituted therefor:

K. Findlay	F.D. Findlay Clothier
A. Peckham	Royal Bank
A. Herpers	Herpers Gowling
R. Harris	Harris and Henderson
J. Livingston	Livingston Furs
R. Titian	Reggie's Music and Sound
K. Wiegand	Right House
R. Sorenson	Sundried Tomatoes
M. McNally	Jeset Investments
R. Letourneau	Just Imagine Printing
D. Bocker	Royal Connaught Hotel
R. Ianuzzi	Canadian Imperial Bank of Commerce
N. Godwin	Nancy Godwin, Barrister & Solicitor
D. Blanchard	Hughson Business Space Corporation
D. Lugowy	Dennis Lugowy, Chartered Accountant

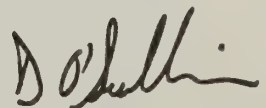
3. By-law No. 98-063 is hereby repealed in its entirety.

4. In all other respects, By-law No. 86-73, as amended, is hereby confirmed, unchanged.

PASSED this 30th day of March A.D. 1999



MUNICIPAL CLERK

Acting MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 040

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDSCAPE REGULATIONS AND DESIGN STANDARDS
FOR COMMERCIAL USES**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 1st Report of the Planning and Development Committee at its meeting held on the 26th day of January 1999, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to landscape regulations and design standards for Commercial Uses, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (9) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

2. The "G-1" (Designed Shopping Centre) District regulations as contained in Section 13A of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (9) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and

- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

3. The "G-2" (Regional Shopping Centres) District regulations as contained in Section 13B of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (11) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

4. The "G-4" (Designed Neighbourhood Shopping Area) District regulations as contained in Section 13D of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (7) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

5. The "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (9) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

6. The "HH" (Restricted Community Shopping and Commercial District) District regulations as contained in Section 14A of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (7) (a) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (b) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

7. The "I" (Central Business District, etc.) District regulations as contained in Section 15 of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (9) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

8. The "HI" (Civic Centre Protected Districts) District regulations as contained in Section 15A of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (5) (i) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (ii) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

9. The "CR-1", "CR-2" and "CR-3" (Commercial-Residential Districts) District regulations as contained in Section 15B of Zoning By-law No. 6593 are amended by adding the following new subsection:

"LANDSCAPE REQUIREMENTS FOR COMMERCIAL USES

- (36) A planting strip of not less than 1.5 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways; and
- (37) Where any parking space or manoeuvring space is adjacent to a street line, a landscaped area having a minimum average width of 2.0 metres, but not less than 1.0 metre in width, shall be provided and maintained along the entire street line of the lot, except for the area used for access driveways."

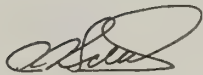
10. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

11. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

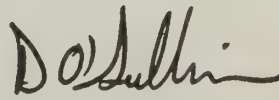
PASSED this 30th day of

March

A.D. 1999



MUNICIPAL CLERK

Acting MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 041

To Amend:

Zoning By-law No. 6593

Respecting:

**THE LOCATION OF VEHICULAR ACCESS POINTS
FOR RESTAURANT PARKING IN AN "H" DISTRICT**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

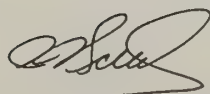
AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 4th Report of the Planning and Development Committee at its meeting held on the 23rd day of February 1999, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to the location of vehicular access points for restaurant parking in an "H" District, as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

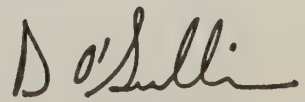
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 18A. (36) 2. of Zoning By-law No. 6593 is amended by adding the words "parking for" before "a restaurant" in the second line so that the section shall read as follows:
 - "2. No points of ingress or egress at the lot line, to or from the lot on which parking for a restaurant is located shall be situate closer than 30.0 metres (98.43 feet) to a residential district boundary."
2. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.
3. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of March A.D. 1999



MUNICIPAL CLERK



Acting MAYOR

BY-LAW NO. 99 - 042

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 30TH DAY OF MARCH 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

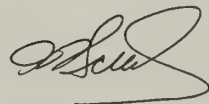
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 30th day of March 1999



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 043

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 96-124

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS.
775 AND 779 UPPER WENTWORTH STREET**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-124 on the 9th day of July 1996 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located at Municipal Nos. 775 and 779 Upper Wentworth Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 1st Report of the Planning and Development Committee at its meeting held on the 26th day of January 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 96-124, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law No. 96-124, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,

(a) Paragraph (iii) of Section 2.(a) of By-law No. 96-124 is hereby repealed and the following substituted therefor:

(iii) a business or professional person's office, excluding all medical offices, except for either a laser eye clinic or dental office but not both and the gross floor area shall not exceed 340.5 square metres (3,665 square feet); and,

- (b) notwithstanding Section 2.(vi) of By-law No. 96-124, the business identification ground sign existing on the date of the passing of this by-law shall be permitted.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2 of By-law No. 96-124 and section 1 of this by-law.

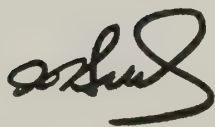
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1348a.

4. Sheet No. E-27 of the District Maps is amended by marking the lands referred to in section 2 of By-law No. 96-124, and further amended by section 1 of this by-law, S-1348a.

5. In all other respects, By-law No. 96-124 is hereby confirmed, unchanged.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of April A.D. 1999

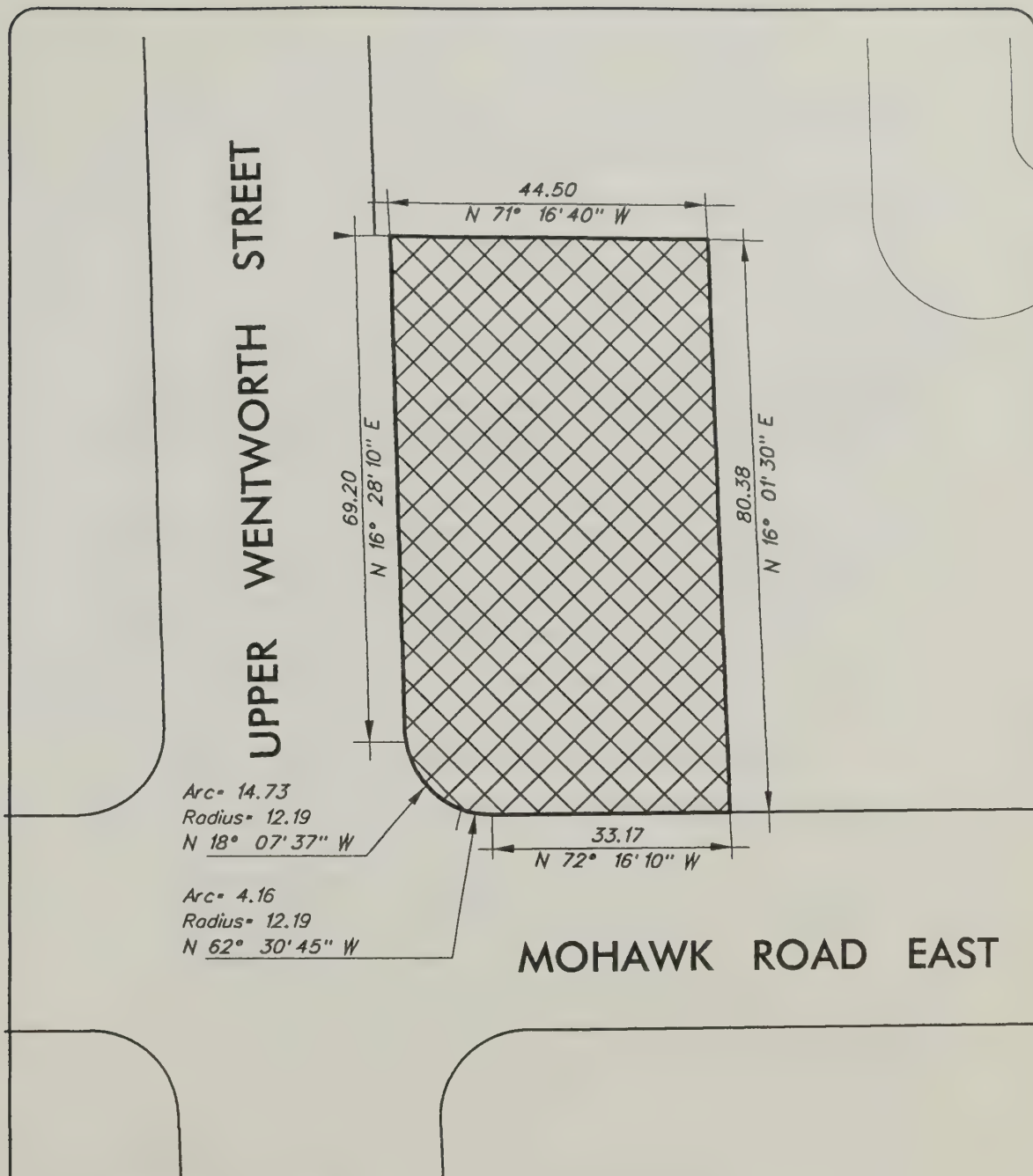


MUNICIPAL CLERK




MAYOR

(1999) 1 R.P.D.C. 2, January 26
116990 Ontario Inc. (Rob McDowell), Owner
Amended ZAR-98-41



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-043
Passed the 13th day of April, 1999.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99- 043
to Amend By-Law No. 6593

Planning and Development Department

Legend

 Further modification to the "HH" (Restricted Community Shopping and Commercial) District, modified

	Scale NOT TO SCALE	Reference File No. ZAR-98-41
	Date February, 1999	Drawn By B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 044

Respecting

AN INTERIM TAX LEVY

WHEREAS By-law No. 99-015, passed on the 2nd day of February, 1999 and amended by Bylaw No. 99-023 on February 9th, 1999, provided for an interim tax levy under Section 370 of The Municipal Act, Chapter M.45, R.S.O. 1990, as amended by the Fair Municipal Finance Act, 1997, the Fair Municipal Finance Act, 1997 (No.2), the Ontario Property Assessment Corporation Act, 1997 and the Fairness for Property Taxpayers Act, S.O. 1999;

AND WHEREAS By-law No. 99-015, as amended, establishes the interim tax levy rate which shall be levied and collected upon the whole of the rateable property classes;

AND WHEREAS By-law No. 99-015 authorized the General Manager of Finance to defer the billing of the final 1998 tax instalment and the prelevy billing of the Industrial, Commercial and the Multi-Residential property categories;

AND WHEREAS City Council now wishes to establish the due dates for the deferred billings;

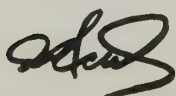
AND WHEREAS City Council, on April 13, 1999 authorized this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The interim tax levy for properties with multi-residential, commercial and/or industrial assessments and any other properties not yet billed for 1999 interim taxation shall become due and payable in two instalments as follows:

Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 31st day of May, 1999 and the balance of the interim levy shall become due and payable on the 30th day of June 1999 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

PASSED this 13th day of April, 1999.



MUNICIPAL CLERK



MAYOR



BY-LAW NO. 99 - 045

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 13TH DAY OF APRIL 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

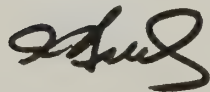
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

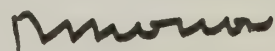
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 13th day of April 1999



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 -046

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 20TH DAY OF APRIL ,
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

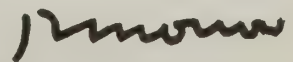
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 20th day of April A.D. 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 047

TO ALTER HESS STREET BETWEEN KING STREET WEST AND JACKSON STREET
AND GEORGE STREET FROM HESS STREET SOUTH TO APPROXIMATELY
65 METRES EASTERLY

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highways known as Hess Street South and George Street are local roads under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 32 of the 1st Report of the Transport and Environment Committee on January 26, 1999, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Hess Street South and George Street as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

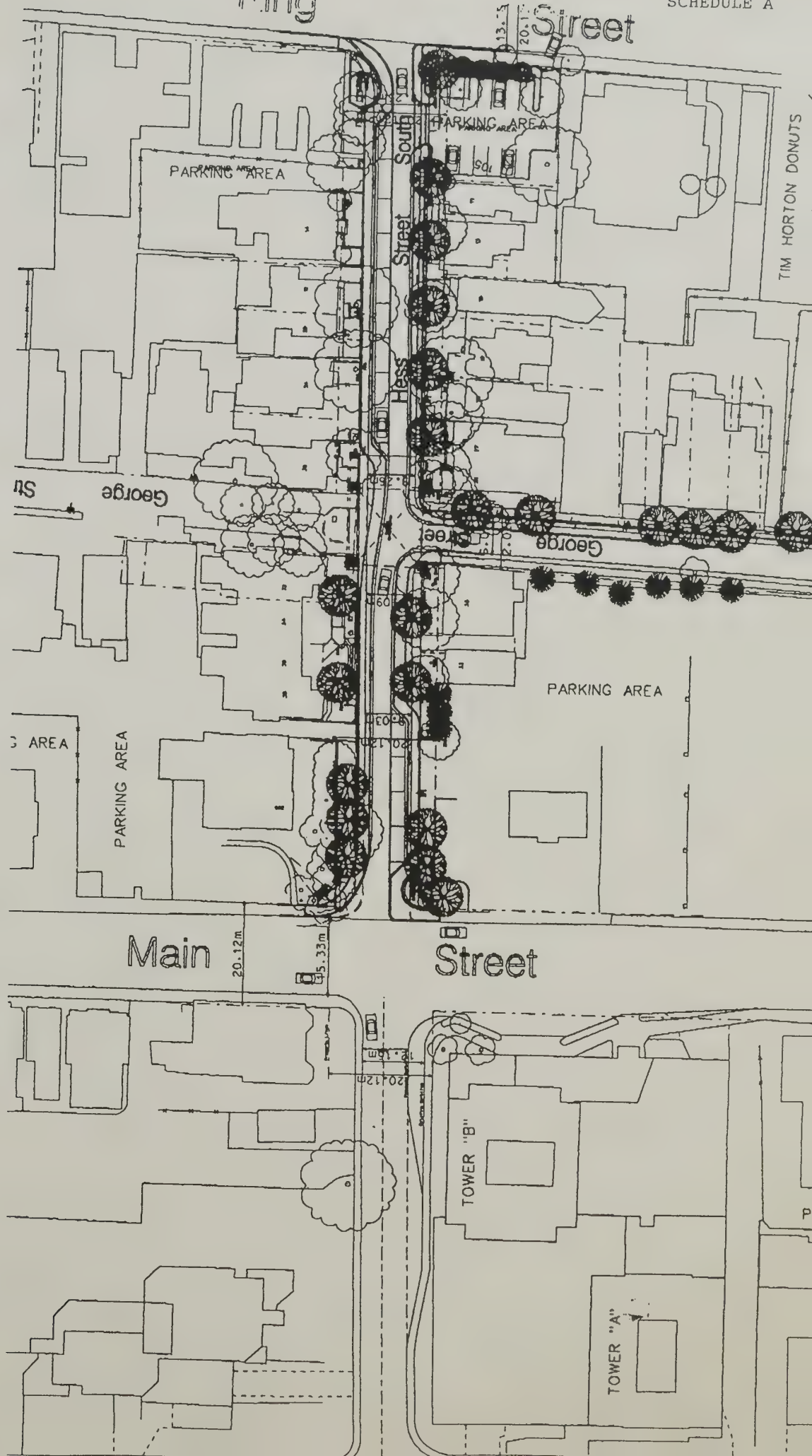
1. That the alterations be approved and carried out to Hess Street South between King Street West and Main Street West, for the purpose of narrowing the travelled portion of the said street from the existing width of 9.0 metres to a width of 6.2 metres; Hess Street South, between Main Street West and Jackson Street, for the purpose of narrowing the travelled portion of the said street from the existing width of 12.0 metres to 9.0 metres and George Street between Hess Street South and approximately 65 metres easterly by narrowing the travelled portion of the said street from the existing width of 6.0 metres to 3.5 metres, all as illustrated in Schedule "A" attached hereto.
2. That the Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 27th day of April, 1999.


MUNICIPAL CLERK




MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-048

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 24, 27, 28 & 29, ON PLAN 62R-11691
INTO BENJAMIN DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Benjamin Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Benjamin Drive.

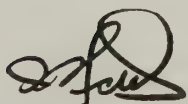
Part of Lot 14, Concession 7, in the geographic township of Barton, designated as Parts 24, 27, 28 & 29, on Plan 62R-11691.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of April A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-049

TO INCORPORATE CITY LAND
DESIGNATED AS PART 15, ON PLAN 62R-8380
INTO DONN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Donn Avenue within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Donn Avenue.

Part of Lot 24, Concession 2, in the geographic township of Saltfleet, designated as Part 15, on Plan 62R-8380.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of April A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-050

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 9, ON PLAN 62M-332, PARTS 3 & 5, ON PLAN
62R-14109, AND PARTS 1 & 3, ON PLAN LT494229
INTO ELMORE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Elmore Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Elmore Drive.

All of Block 9, Plan 62M-332, and part of Lot 7, Concession 8, in the geographic township of Barton, designated as Parts 3 & 5, on Plan 62R-14109, and Parts 1 & 3, on Plan LT494229.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

27th

day of

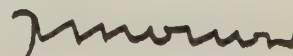
April

A.D.

1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 051

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 66, ON PLAN 62M-556 AND
PART 9, ON PLAN 62R-14109
INTO ROYALVISTA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Royalvista Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Royalvista Drive.

All of Block 66, on Plan 62M-556, and part of Lot 7, Concession 8, in the geographic township of Barton, designated as Part 9, on Plan 62R-14109.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

27th

day of

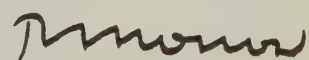
April

A.D.

1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 052

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 21, 23 & 30, ON PLAN 62R-11691
INTO THEODORE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Theodore Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Theodore Drive.

Part of Lot 14, Concession 7, in the geographic township of Barton, designated as Parts 21, 23 & 30, on Plan 62R-11691.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of April A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-053

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Brendan	Southbound	Behan
Theodore	Eastbound and Westbound	Benjamin
Corinaldo	Northbound	Fano
Corinaldo	Eastbound	Fano
Dunkirk	Eastbound and Westbound	Ferndale
Jeremy	Northbound	Chipman"

2. That **Schedule 18 (No Right Turn on Red Light at Certain Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item:-

"Dundurn	Northbound	Aberdeen	7:00 am - 9:00 am Monday to Friday"
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and by deleting therefrom the following item, namely:-

"Dundurn	Northbound	Aberdeen	Anytime"
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3. That **Schedule 23 (HSR Bus Stops)** of By-law 89-72, as amended, is hereby further amended by adding to the **Outbound** column thereof the following items, namely:-

"Britannia Avenue, 20 feet west of Tragina (N/S)

Britannia Avenue, 20 feet west of Fairfield (N/S)"

and by deleting from the **Outbound** column thereof the following items, namely:-

"Britannia at Cope

Britannia at Weir"

4. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Lotus	North	commencing 93 feet west of Upper James and extending 30 feet westerly therefrom	Anytime
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Upper Wentworth	East	commencing at the north limit of the driveway to 1809 Upper Wentworth and extending 75 feet northerly therefrom	Anytime"
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5. That **Schedule 31 (School Bus Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Hester	North	118 feet	commencing 146 feet east of Deschene	7:00 a.m. - 6:00 p.m. Monday to Friday"
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6. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:-

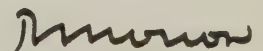
"Pearl	East	15 feet	32 feet south of Peter	12:00 noon - 8:00 p.m."
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7. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
8. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 27th day of April 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-054

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 9 (Through Highways)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Cannon Street, from the southerly limit of Britannia Avenue to the westerly limit of Kenilworth Avenue

Cannon Street, from the easterly limit of Ottawa Street to the westerly limit of Lottridge Street"

and by deleting therefrom the following item, namely:-

"Cannon Street, from the southerly limit of Britannia Avenue to the westerly limit of Lottridge"

2. That **Shedule 24 (Parking Meter Locations)** of By-law 89-72, as amended, is hereby further amended by adding to **Section 1(A)** (Three Hour Limit - fifty cents per hour) thereof the following item, namely:-

"Rosslyn East Main to 100 feet north"

and by adding to **Section 2(A)** (Two Hour Limit - fifty cents per hour) thereof the following item:-

"James Both Barton to Murray"

and by deleting from **Section 3(A)** (One Hour Limit - fifty cents per hour) thereof the following items, namely:-

"James Both Barton to Murray

Rosslyn East Main to 100 ft. north"

3. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Cannon	North	Lottridge to Ottawa		Anytime
Cannon	North	Ottawa to Kenilworth	7 am - 6 pm	Mon - Fri
Pearson	North	commencing 152 feet west of Pompano and /East extending 132 feet northerly therefrom		Anytime
Glennie	West	Britannia to the southerly end		Anytime
Poulette	West	Hunter to Melbourne		Anytime
Macauley	North	commencing 115 feet east of James and extending 36 feet easterly therefrom	9 am - 7 pm	Mon - Fri
Vine	South	commencing 68 feet east of MacNab and extending 24 feet easterly therefrom		Anytime"

and by deleting therefrom the following items, namely:-

"Cannon	North	Lottridge to Kenilworth		Anytime
Macauley	North	commencing 115 feet east of James to a point 36 feet easterly therefrom	8:30 am - 5 pm	Mon - Fri"

4. That **Schedule 26(A) (Loading Zones)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:-

"Locke West 22 ft. 50 ft. south of south limit of Bold"

5. That **Schedule 27 (Alternate Side Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Glennie Avenue Barton Street to Britannia Avenue	East	West
Poulett Street Main to Hunter	West	East"

and by deleting therefrom the following items, namely:-

"Glennie Avenue Barton Street to Southerly End	East	West
Poulette Street End to End	West	East"

6. That **Schedule 34 (Sticker Permit Parking)** of the said By-law is hereby amended by adding thereto the following items, namely:-

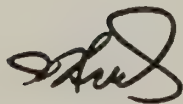
"Augusta	North	commencing 69 feet west of Hughson and extending 26 feet westerly therefrom	Anytime
Carrick	East	commencing 205 feet south of King and extending 28 feet southerly therefrom	Anytime
Catharine	East	commencing 186 feet south of Murray and extending 25 feet southerly therefrom	Anytime
Catharine	East	commencing 128 feet south of Murray and extending 20 feet southerly therefrom	Anytime
Fairfield	West	commencing 218 feet north of Vansitmart and extending 22 feet northerly therefrom	Anytime
Jackson	South	commencing 99 feet west of Pearl and extending 17 feet westerly therefrom	Anytime
Strachan	South	commencing 62 feet east of MacNab and extending 20 feet easterly therefrom	Anytime
Wexford	East	commencing 139 feet north of Main and extending 18 feet northerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

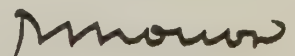
"Francis	North	from a point 114 feet west of Cheever to a point 24 feet westerly therefrom	Anytime
Julian	East	commencing 102 feet north of Roxborough and extending 23 feet northerly therefrom	Anytime
Paling	West	commencing 705 feet south of Barton and extending 20 feet southerly therefrom	Anytime
Vansitmart	North	commencing 230 feet west of Harmony and extending 22 feet westerly therefrom	Anytime"

7. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
8. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 27th day of April 1999.



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99 — 055

To Remove
Land within the "Wellington Meadows, Phase 1" Subdivision, Plan 62M-877
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

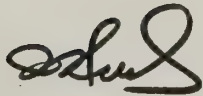
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 2 – 18, inclusive and Lots 21 – 25, inclusive, Registered Plan Number 62M-877, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

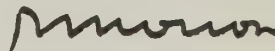
2.
 - (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton–Wentworth.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on May 1, 2000.

PASSED this 27th day of April

A.D. 1999.



Municipal Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99- 056

To Adopt:

Official Plan Amendment No. 160

Respecting:

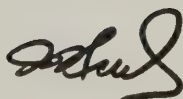
HERITAGE IMPACT ASSESSMENT

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 160 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 27th day of April

A.D. 1999



MUNICIPAL CLERK



MAYOR



1999 9. R.P.D.C (3)
OPA 160

Amendment No. 160
to the
City of Hamilton Official Plan

The following text, attached hereto, constitutes Official Plan Amendment No. 160.

Purpose:

The purpose of this Amendment is to incorporate provisions in the Official Plan to require a Heritage Impact Assessment where heritage resources are affected by major redevelopment and development proposals.

Basis:

The basis for the Amendment is that:

1. It provides the City with a mechanism to evaluate and mitigate impacts on heritage resources on the site.
2. It may provide the developer/owner with some alternative suggestions/ designs/ideas that could be incorporated into development/redevelopment applications; and,
3. It has the potential to preserve and perhaps enhance the heritage resources of the site. Incorporation of heritage features would allow for more unique types of development, as well as allowing for the preservation of a part of Hamilton's history

Actual Changes:

Subsection C.6 - Heritage Resources is amended by including the following new policies:

- 6.9 A Heritage Impact Assessment may be required by the City for any development or redevelopment, both public and private initiatives, that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that meet one or more of the following criteria:
 - i) The properties are designated under the Ontario Heritage Act or are adjacent to buildings/structures that are designated under the Ontario Heritage Act;

- ii) The buildings/structures are listed on the City's Inventory of Buildings of Architectural and/or Historical Interest or are adjacent to buildings/structures listed on the City's Inventory of Buildings of Architectural and/or Historical Interest;
- iii) The site has or is adjacent to a site that has open spaces, vistas or cultural heritage landscapes that are listed on the Cultural Landscape Resources Inventory approved by the Local Architectural Conservation Advisory Committee (LACAC); or,
- iv) The properties are within or adjacent to a Heritage Conservation District.

- 6.10 The Heritage Impact Assessment will be processed simultaneously with the development or building permit applications are submitted to the City. The Heritage Impact Assessment will be reviewed by the Local Architectural Conservation Advisory Committee (LACAC) and any decisions will be delayed until such time as the review is completed by LACAC.
- 6.11 The Heritage Impact Assessment will contain the information detailed in the Heritage Impact Assessment Guidelines. These guidelines will be approved by City Council and any amendments to the Guidelines will require Council approval.
- 6.12 Where an environmental assessment for a proposal is processed under federal or provincial environmental assessment regulations, that assessment will be considered as fulfilling the Heritage Impact Assessment under policy 6.9, provided a professional assessment of the architectural, historical, archaeological and/or landscape value is included.

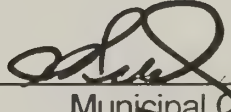
Implementation:

The provisions of Section D – Implementation of the Official Plan will apply to this Amendment.

This is Schedule "1" to By-law No. 99- 056 , passed on the 27th day of April, 1999.

**The Corporation of the
City of Hamilton**




Municipal Clerk


Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99-057

To Adopt:

Official Plan Amendment No. 158

Respecting:

**LANDS LOCATED AT THE FRONT OF 723 RYMAL ROAD WEST IN THE
CARPENTER NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

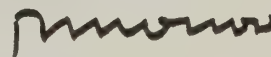
1. Amendment No. 158 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 27th day of April

A.D. 1999



MUNICIPAL CLERK



MAYOR

Draft Amendment No. 158
to the
City of Hamilton Official Plan

The following text, together with Schedule "B", attached hereto, constitutes Official Plan Amendment No. 158.

Purpose:

The purpose of this Amendment is to establish a "Special Policy Area" within the "Residential" designation to permit a community and residential care access centre, including limited associated commercial uses, on the subject property.

Location:

The lands affected by this Amendment are the front portion of the lands known municipally as 723 Rymal Road West, with an area of approximately 0.7 ha, within the Carpenter Neighbourhood.

Basis:

The basis for permitting the community and residential care access centre, including limited associated commercial uses, within the "Residential" area are as follows:

1. The subject lands are located on a major arterial road, at the periphery of the neighbourhood.
2. The community and residential care access centre would provide residential short term and care facilities and medical services, including patient care, assessment and uptake, to the communities of the Hamilton West Mountain, Ancaster and Glanbrook.
3. The proposal includes the adaptive re-use of a heritage dwelling upon the subject lands as a component of the development.

Actual Changes:

1. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.76:

"Notwithstanding the permitted uses set out in Subsection A.2.1 - Residential Uses, for the front portion of the lands known municipally as 723 Rymal Road West, shown on Schedule "B" as SPECIAL POLICY AREA 81, a community residential care access centre including limited associated commercial uses will also be permitted provided that:

- i) The commercial uses will be restricted to:
 - a) A restaurant within the existing heritage dwelling only. There will be no drive through component and the restaurant will not consist entirely of a take out.
 - b) Medical related commercial and medical offices, within the community and residential care access centre, having a maximum floor area of 1350 m².
- ii) The external appearance and character of the existing heritage dwelling will be maintained."

2. The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 81; and,
- "Area 81 refer to Policy A.2.9.3.76" in the legend, as shown on the attached Schedule "B" of this Amendment.

Implementation:

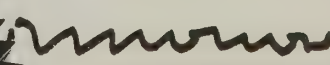
A Zoning By-law amendment will give effect to the intended use on the subject lands.

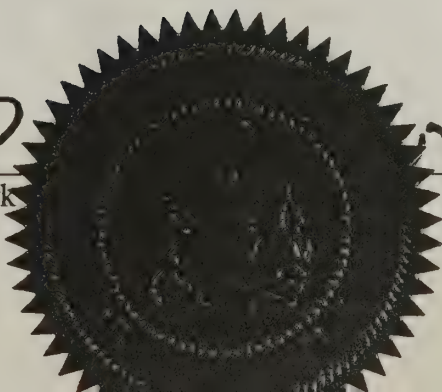
This is Schedule "1" to By-law No. 99-057 , passed on the 27th day of April , 1999.

The Corporation of the

City of Hamilton


Municipal Clerk


Mayor



schedule B Amendment no.158

to the
 official plan
 for the
 city of hamilton

legend



Special Policy Area B1
 Refer to Policy A.2.9.3.76

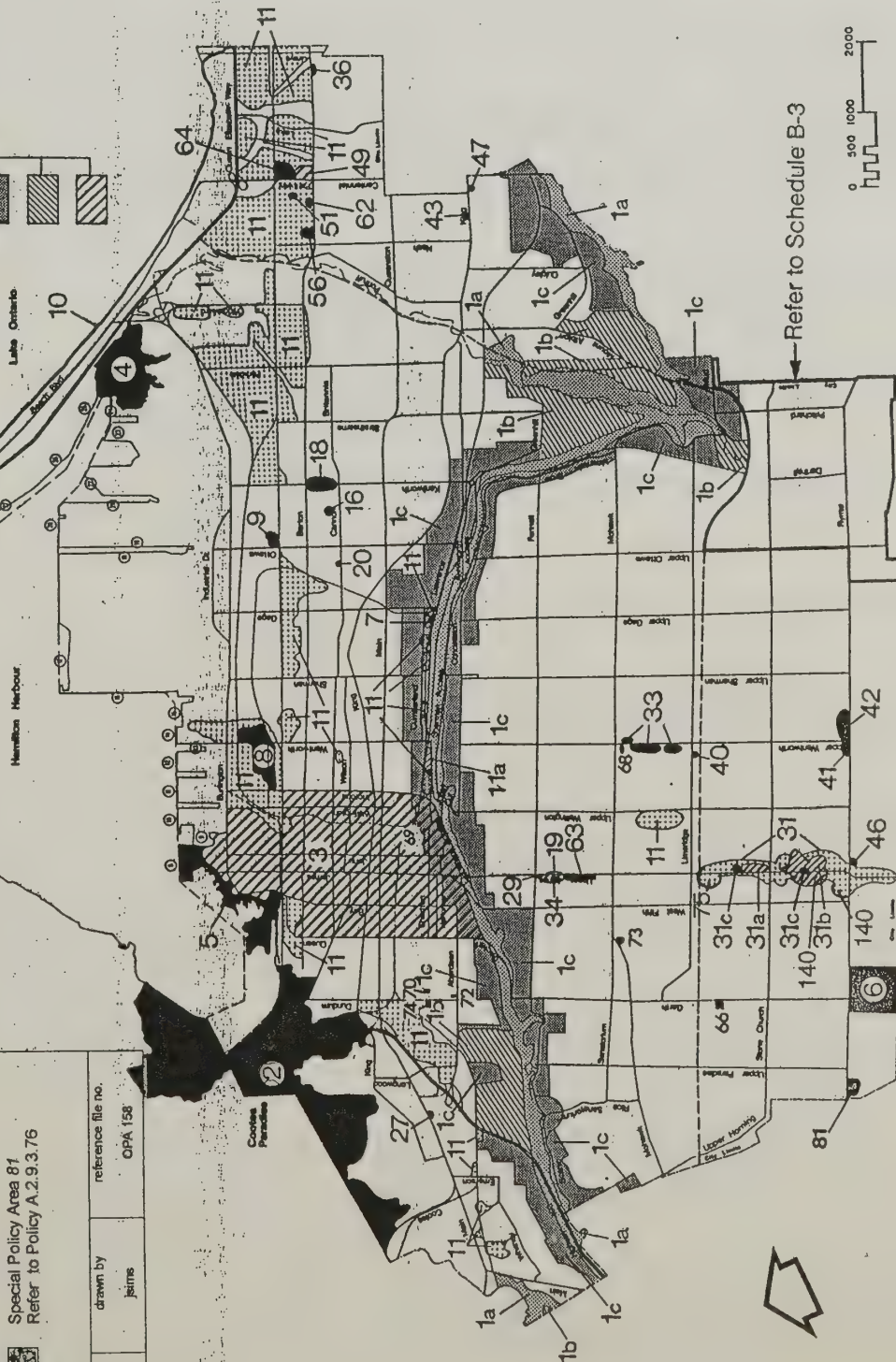
date	drawn by	reference file no.
February 1989	jains	OPA 158

legend



10a REFERRED TO
 O.M.B.

special policy areas



special policy areas

AREA	REFER TO POLICY	AREA POLICY
1(a)	A.2.9.1.	"Deleted"
1(b)	A.2.9.1.	"Deleted"
1(c)	A.2.9.1.	"Deleted"
2	A.2.9.2.	A.2.9.3.50.
3	A.2.9.3.	A.2.9.3.51.
4	A.2.9.3.	A.2.9.3.57.
5	A.2.9.3.	A.2.9.3.58.
6	A.2.9.3.	A.2.9.3.59.
7	A.2.9.3.	A.2.9.3.60.
8	A.2.9.3.	A.2.9.3.61.
9	A.2.9.3.	A.2.9.3.62.
10	A.2.9.3.	A.2.9.3.63.
11	A.2.9.3.	A.2.9.3.64.
11(a)	A.2.9.3.	A.2.9.3.65.
11(b)	A.2.9.3.	A.2.9.3.66.
11(c)	A.2.9.3.	A.2.9.3.67.
12	A.2.9.3.	A.2.9.3.68.
13	A.2.9.3.	A.2.9.3.69.
14	A.2.9.3.	A.2.9.3.70.
15	A.2.9.3.	A.2.9.3.71.
16	A.2.9.3.	A.2.9.3.72.
17	A.2.9.3.	A.2.9.3.73.
18	A.2.9.3.	A.2.9.3.74.
19	A.2.9.3.	A.2.9.3.75.
20	A.2.9.3.	A.2.9.3.76.
21	A.2.9.3.	A.2.9.3.77.
22	A.2.9.3.	A.2.9.3.78.
23	A.2.9.3.	A.2.9.3.79.
24	A.2.9.3.	A.2.9.3.80.
25	A.2.9.3.	A.2.9.3.81.
26	A.2.9.3.	A.2.9.3.82.
27	A.2.9.3.	A.2.9.3.83.
28	A.2.9.3.	A.2.9.3.84.
29	A.2.9.3.	A.2.9.3.85.
30	A.2.9.3.	A.2.9.3.86.
31	A.2.9.3.	A.2.9.3.87.
31(a)	A.2.9.3.	A.2.9.3.88.
31(b)	A.2.9.3.	A.2.9.3.89.
31(c)	A.2.9.3.	A.2.9.3.90.
32	A.2.9.3.	A.2.9.3.91.
33	A.2.9.3.	A.2.9.3.92.
34	A.2.9.3.	A.2.9.3.93.
35	A.2.9.3.	A.2.9.3.94.
36	A.2.9.3.	A.2.9.3.95.
37	A.2.9.3.	A.2.9.3.96.
38	A.2.9.3.	A.2.9.3.97.
39	A.2.9.3.	A.2.9.3.98.
40	A.2.9.3.	A.2.9.3.99.
41	A.2.9.3.	A.2.9.4.00.
42	A.2.9.3.	A.2.9.4.01.
43	A.2.9.3.	A.2.9.4.02.
44	A.2.9.3.	A.2.9.4.03.
45	A.2.9.3.	A.2.9.4.04.
46	A.2.9.3.	A.2.9.4.05.
47	A.2.9.3.	A.2.9.4.06.
48	A.2.9.3.	A.2.9.4.07.
49	A.2.9.3.	A.2.9.4.08.
50	A.2.9.3.	A.2.9.4.09.
51	A.2.9.3.	A.2.9.4.10.

For other Special Policy Areas
 numbers, refer to Schedules:
 B-1, B-2, and B-3.

schedule B

to the official plan
 for
 the city of Hamilton

99 / 02 / 24

The Corporation of the City of Hamilton

BY-LAW NO. 99-058

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 723 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 158, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District, the land comprised in Block "1"; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land referred to in section 1 shall be removed conditional upon,

- (i) the owner preparing and submitting a storm water management study to the satisfaction of the applicable Conservation Authorities and the Manager, Development Engineering Section, Regional Environment Department; and,
- (ii) servicing being made available to the subject lands to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,

- (iii) the applicant entering into all required agreements for the provision of services, with the City of Hamilton and the Region of Hamilton-Wentworth, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "DE-3" District provisions, subject to the special requirements contained in section 3 of this by-law.

3. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10C.(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (i) a "Community and Residential Care Access Centre"; and,
 - (ii) a restaurant provided that,
 - 1. it is located within the dwelling or any portion existing on the day of the passing of the by-law; and,
 - 2. the external appearance and character of the dwelling shall be preserved and maintained; and,
 - 3. a drive-thru or take-out shall not be permitted; and,
 - 4. it is only accessory to and used in conjunction with the "Community and Residential Care Access Centre"; and,
- (b) for the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which medical offices and related services are provided in conjunction with short-term residential care and residential care facilities, subject to the following provisions:
 - (i) a Short-Term Care Facility for the accommodation of a maximum of 26 residents of at least 65 years of age located within the first and second storeys; and,
 - (ii) a Residential Care Facility for the accommodation of a maximum of 25 residents of at least 65 years of age located within the second storey; and,
 - (iii) an accessory dining room within the second storey which shall only be used in conjunction with the Residential Care and Short term Care Facilities; and,
 - (iv) offices for medical or dental practitioners, osteopaths, drugless practitioners, physiotherapists, optometrists, and other medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory and a drugstore located within the first storey, provided that all such uses except for a drugstore shall have access only from the interior of the building; and,

- (c) notwithstanding Section 10C.(2) of Zoning By-law No. 6593, no building shall exceed two storeys in height; and,
- (d) notwithstanding Section 10C.(3) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre", the following yards shall be provided and maintained:
 - (i) a minimum front yard depth of 4.7 metres; and,
 - (ii) a minimum side yard depth of 3.8 metres; and,
 - (iii) a minimum rear yard depth of 11.1 metres; and,
- (e) notwithstanding Section 10C.(5) of Zoning By-law No. 6593, for a "Community and Residential Care Access Centre" a maximum gross floor area of 4,690 square metres shall be permitted, the residential portion shall have a minimum floor area of 2,715 square metres and the commercial portion shall have a maximum floor area of 1,975 square metres, including hallways and common amenity areas; and,
- (f) for the "Community and Residential Care Access Centre", a ground sign having an area of not more than 4.2 square metres and located not less than 2.0 metres from any lot line, and only illuminated with a source of light that is steady and suitably shielded to contain the illumination shall be permitted; and
- (g) for the restaurant, a ground sign having an area of not more than 1.2 square metres and located not more than 1.5 metres from the existing building, and only illuminated with a source of light that is steady and suitably shielded to contain the illumination shall be permitted; and,
- (h) Section 4.(3) of Zoning By-law No. 6593 shall not apply to the subject lands; and,
- (i) notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" comprised of residential and commercial uses; and,
- (j) notwithstanding Section 2.(2)A.(xiiaaa) of Zoning By-law No. 6593, a Short-Term Residential Care Facility shall be permitted within a building containing a "Community and Residential Care Access Centre" jointly comprised of residential and commercial uses; and,
- (k) Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1421.

6. Sheet No. W-37E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1421.

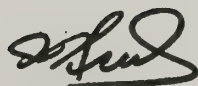
7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th

day of

April

A.D. 1999

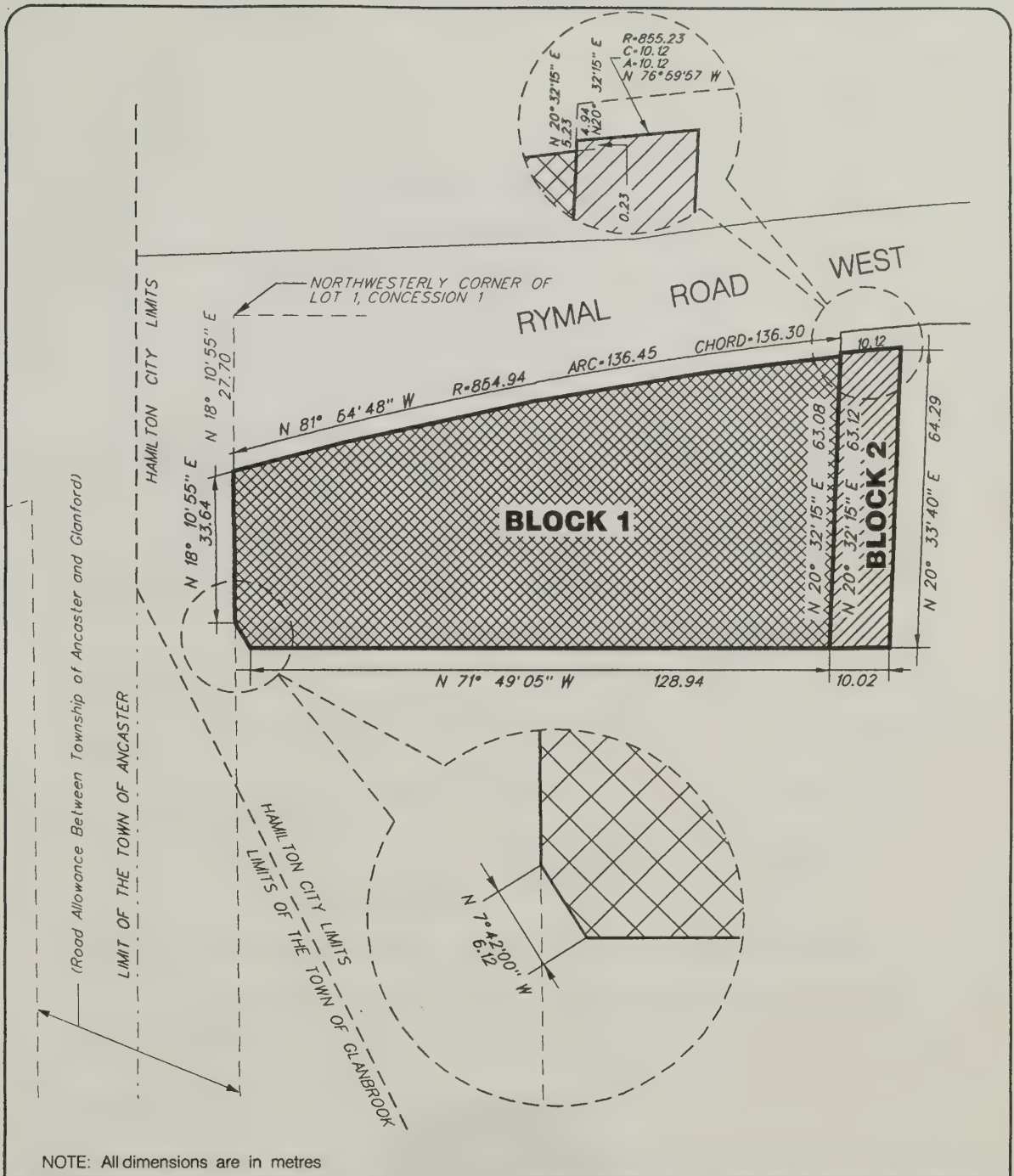


MUNICIPAL CLERK



MAYOR

(1999) 1 R.P.D.C. 6, January 26
723 Rymal Road West
(Jomar Development Corporation), Owner
Amended ZAC-98-24



This is Schedule "A" to By-Law No. 99-058.....
Passed the 27th day of April, 1999.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-058
to Amend By-Law No. 6593

Planning and Development Department

Legend

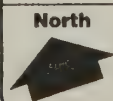
Change in zoning from:



"AA" (Agricultural) District to "DE-3"-H'
(Multiple Dwellings-Holding) District



"C" (Urban Protected Residential, etc.) District
to "DE-3"-H' (Multiple Dwellings-Holding) District



Scale
NOT TO SCALE

Date
March, 1999

Reference File No.
ZA-98-24

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99 - 059

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER SHERMAN AVENUE, WEST OF
ELEANOR AVENUE AND SOUTH OF DALIA AVENUE/DULGAREN STREET
AND LOCATED AT THE REAR OF 1501 UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-38C and E-38D of the District Maps appended to and forming part of By-law No. 6593, are amended,

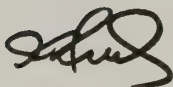
(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

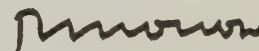
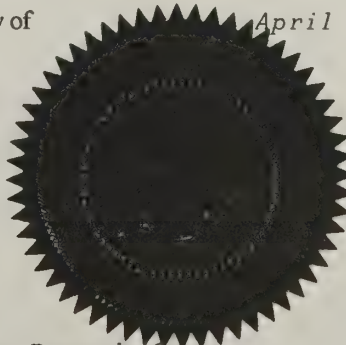
2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of April

A.D. 1999

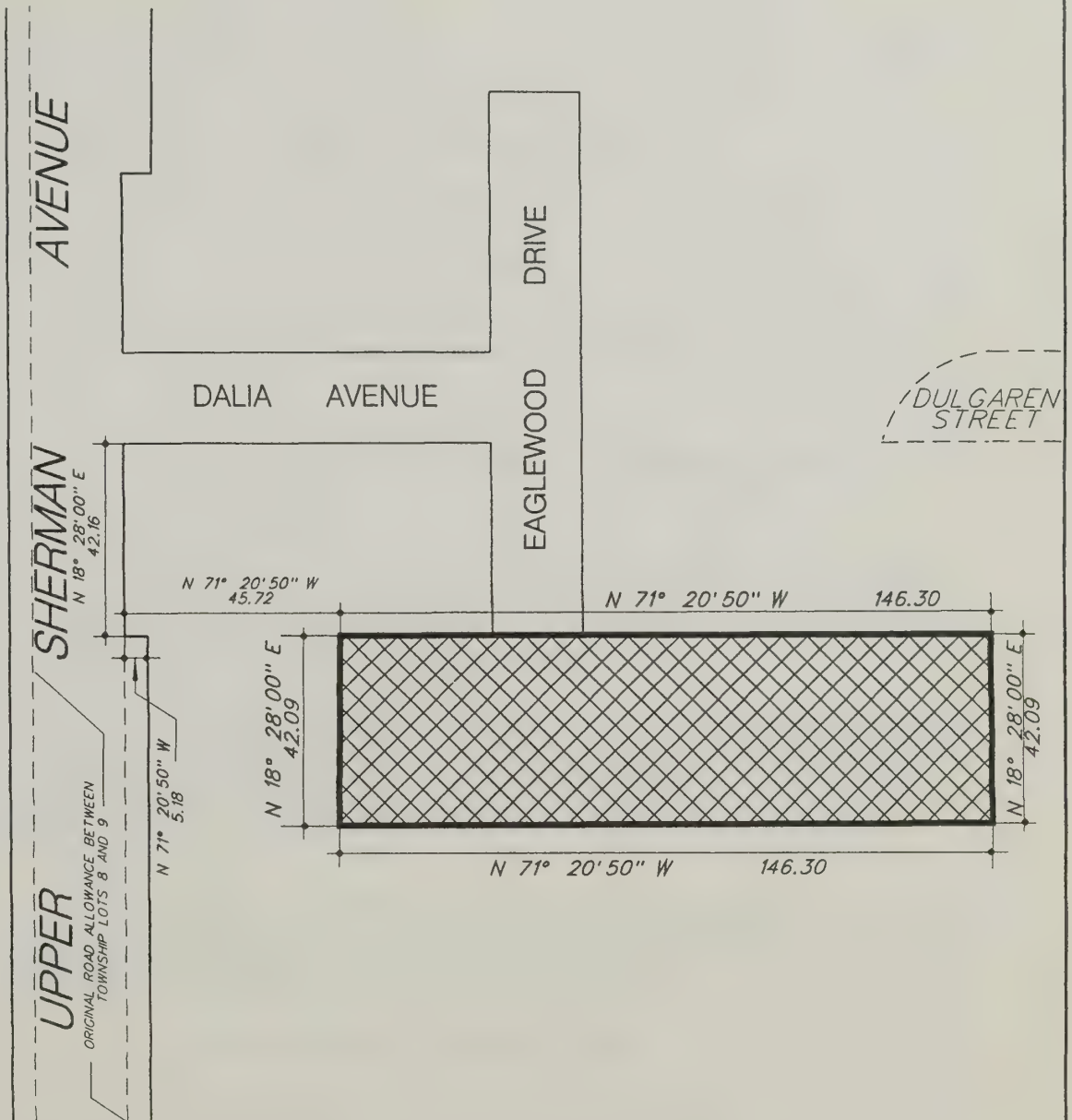


MUNICIPAL CLERK



MAYOR

(1999) 3 R.P.D.C. 1, February 9
Harp Homes Building Corporation, Prospective Owner
ZAC-98-42



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-059
Passed the 27th day of April, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-059
to Amend By-Law No. 6593

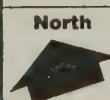
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.) District



Scale
NOT TO SCALE

Date
April, 1999

Reference File No.

ZA-98-42

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 060

To Amend:

Zoning By-law No. 6593
As Amended Zoning By-law No. 83-325

Respecting:

LAND LOCATED AT MUNICIPAL NO. 129 REBECCA STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS The Corporation of the City of Hamilton passed By-law No. 83-325 on the 13th day of December 1983, to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "J" District, in respect of the above-mentioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS The Corporation of the City of Hamilton, in adopting Section 1 of the 9th Report of the Planning and Development Committee at its meeting held on the 13th day of April 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 83-325, be further amended as hereinafter provided;

AND WHEREAS it is expedient to repeal By-law No. 83-325 as it is no longer necessary;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE" (Low Density Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

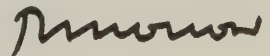
2. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - (i) a multiple dwelling containing a maximum of nineteen (19) Class A dwelling units within the building existing at the time of the passing of this by-law; and,
 - (b) notwithstanding Section 10A.(3) of Zoning By-law No. 6593, the building existing at the time of the passing of this by-law, known municipally as 129 Rebecca Street, shall provide and maintain the following setbacks:
 - (i) 0.0 metre from the southerly, easterly, northerly and westerly lot lines; and,
 - (c) notwithstanding Section 10A.(4) of Zoning By-law No. 6593, a lot width of not less than 17.6 metres and a lot area of not less than 460 square metres shall be provided and maintained; and,
 - (d) Section 10A.(5) of Zoning By-law No. 6593 shall not apply; and,
 - (e) Section 18A. of Zoning By-law No. 6593 shall not apply.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-850a.
5. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-850a.
6. By-law No. 83-325 is hereby repealed in its entirety.
7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of April A.D. 1999

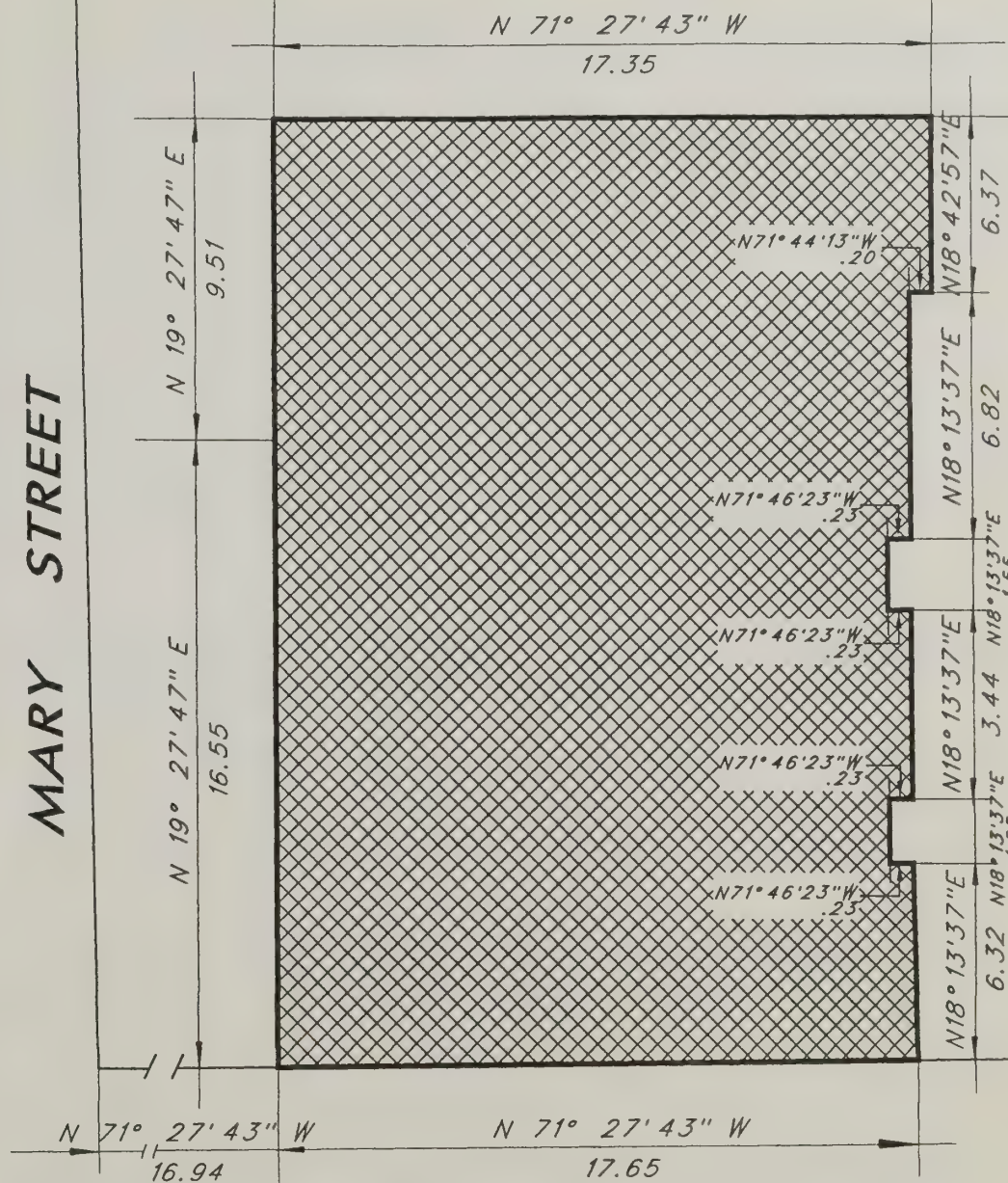


MUNICIPAL CLERK

MAYOR

MARY STREET



REBECCA STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-060.....
Passed the day of April, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-060

to Amend By-Law No. 6593

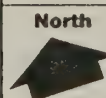
Planning and Development Department

Legend

Change in zoning from:



"J" (Light and Limited Heavy Industry, etc.) District,
modified to "DE" (Low Density Multiple Dwellings)
District



Scale
NOT TO SCALE

Date
April, 1999

Reference File No.

ZAC-99-01

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 061

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 98-210

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1016 UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-210 on the 5th day of August 1998 to change the zoning and to establish a special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located at Municipal Nos. 1016, 1062 and 1088 Upper Paradise Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 8th Report of the Planning and Development Committee at its meeting held on the 30th day of March 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 98-210, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 98-210, applicable to the subject land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (i) notwithstanding Section 2.(6) and 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling only a portion of one required side yard having a width of not less than 0.60 metres that abuts the wall of an attached garage shall be permitted, except that,
 - (a) in the case of a corner lot, a side yard having a flankage width of not less than 1.2 metres shall be provided and maintained; and,
 - (b) where a side yard abuts any other residential district, a side yard of 1.2 metres shall be provided and maintained; and,
- (ii) notwithstanding Section 5.(b) of Zoning By-law No. 98-210, applicable to the subject lands, for a single family dwelling, the lot coverage of all buildings and structures shall not exceed 45% of the lot area.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 5 of By-law No. 98-210 and section 1 of this by-law.

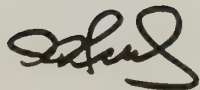
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1405a.

4. Sheet No. W-37D of the District Maps is amended by marking the lands comprised in Blocks 1 and 2, referred to in section 5 of By-law No. 98-210, and further amended by section 1 of this by-law, S-1405a.

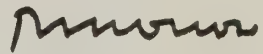
5. In all other respects, By-law No. 98-210, is hereby confirmed, unchanged.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of April A.D. 1999

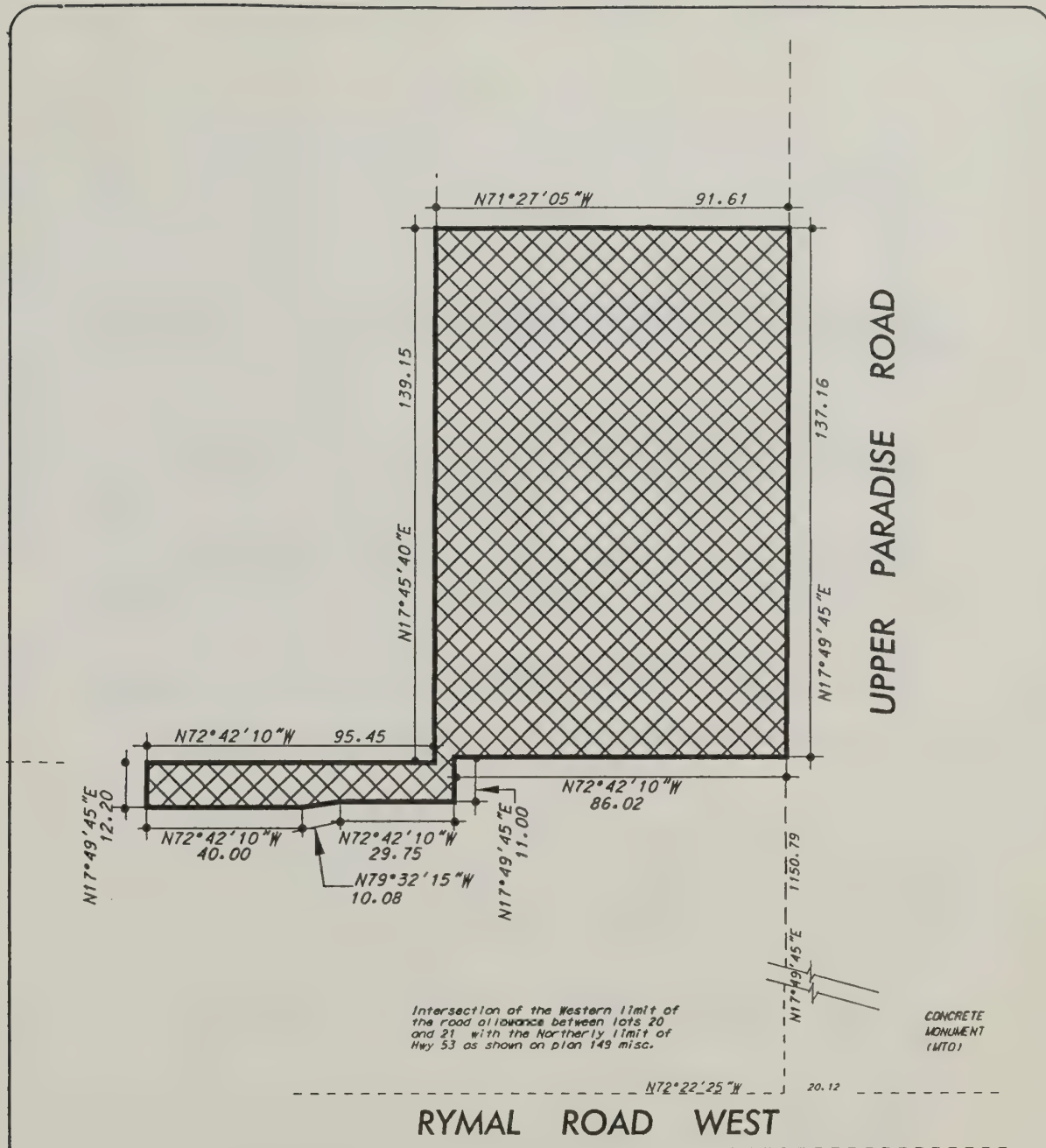


MUNICIPAL CLERK

MAYOR

(1999) 8 R.P.D.C. 1, March 30
Effort Trust Company (A. Weisz),
Prospective Owner
ZAC-99-03



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-061.
Passed the 27th day of April, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

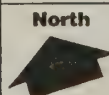
Map Forming Part of
By-Law No. 99-061
to Amend By-Law No. 6593

Planning and Development Department

Legend



Modification to the established "D"
(Urban Protected Residential - One
and Two Family Dwellings, etc.) District



North

Scale
NOT TO SCALE

Date
April, 1999

Reference File No.

ZA-99-03

Drawn By

B. B.

BY-LAW NO. 99 -062

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 27TH DAY OF APRIL , 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

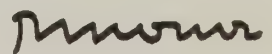
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 27th day of April A.D. 1999.



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 - 063

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF APRIL, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

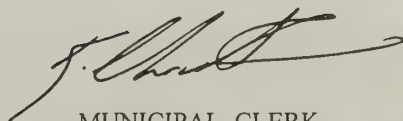
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

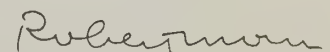
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of April

A.D. 1999.


MUNICIPAL CLERK
Acting.





MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-064

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Hepburn	Both	Jewel to the westerly limit of Hepburn	1 hr	8 am - 8 pm	Mon - Fri
----------	------	---	------	-------------	-----------

Hunter	South	East to 131 feet easterly	3 hr	8 am - 8 am (24 hrs)	Mon - Sun"
--------	-------	---------------------------	------	-------------------------	------------

2. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Ontario	East	Main to 113 feet southerly		Anytime"
----------	------	----------------------------	--	----------

and by deleting therefrom the following item, namely:-

"Ontario	East	Main to 134 ft. south		Anytime"
----------	------	-----------------------	--	----------

3. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Julian	East	commencing 266 feet south of Britannia and extending 34 feet southerly therefrom	Anytime
---------	------	---	---------

Mars	South	commencing 121 feet east of Emerald and extending 18 feet easterly therefrom	Anytime
------	-------	---	---------

Somerset	North	commencing 222 feet west of Lottridge and extending 21 feet westerly therefrom	Anytime
----------	-------	---	---------

Somerset	South	commencing 234 feet west of Lottridge and extending 19 feet westerly therefrom	Anytime"
----------	-------	---	----------

and by deleting therefrom the following item, namely:-

"Fairfield East commencing 26 feet south of Vansitmart Anytime"
and extending 20 feet southerly therefrom

4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
5. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 11th day of May 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-065

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 30 (Commercial Vehicle Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"MacNab	West	117 feet	63 feet north of Vine	Anytime"
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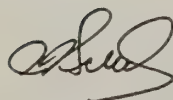
and by deleting therefrom the following items, namely:-

"MacNab	West	20 ft.	110 ft. north of Vine	Anytime
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Macnab	West	50 ft.	150 ft. north of Vine	Anytime"
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2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 11th day of May 1999.



MUNICIPAL CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99 -066

To Remove

Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-780
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 95-155, being a By-law to Remove Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-790 from Part Lot Control, on August 29, 1995;

AND WHEREAS in accordance with Section 2.(c) of By-law No. 95-155, By-law No. 95-155 expired on September 1, 1997;

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 97-212, being a By-law to Remove Land within the "Sandrina Gardens – Phase 2" Subdivision, Plan 62M-790 from Part Lot Control, on October 1, 1997;

AND WHEREAS in accordance with Section 2.(c) of By-law No. 97-212, By-law No. 97-212 expired on October 1, 1998;

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 59, 60, 61, 62, 65, 70, 71 and 72, Registered Plan Number 62M-780, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.

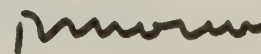
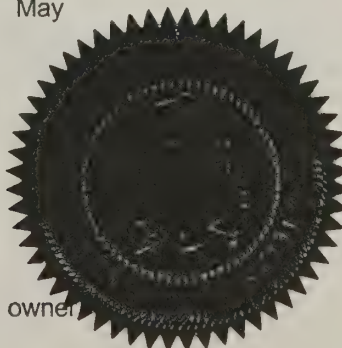
2. (a) This by-law shall come into force and effect on the date of its approval by the Commissioner of the Regional Environment Department.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on June 1, 2000.

PASSED this 11th day of May

A.D. 1999.



Municipal Clerk



Mayor

DiCenzo Construction Company Ltd., owner
(1999) 11 R.P.D.C. 5., May 11
PLC-99-03

The Corporation of the City of Hamilton

BY-LAW NO. 99- 067

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 11 CHEEVER STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-12 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, for a single family dwelling a width of at least 7.79 metres (25.56 feet) and an area of at least 235.60 square metres (2,536.0 square feet) shall be provided and maintained; and,
- (b) notwithstanding Section 18A.(7b) of Zoning By-law No. 6593, the finished level of the garage floor shall be a minimum of 0.1 metre above grade.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1419.

5. Sheet No. E-12 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1419.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

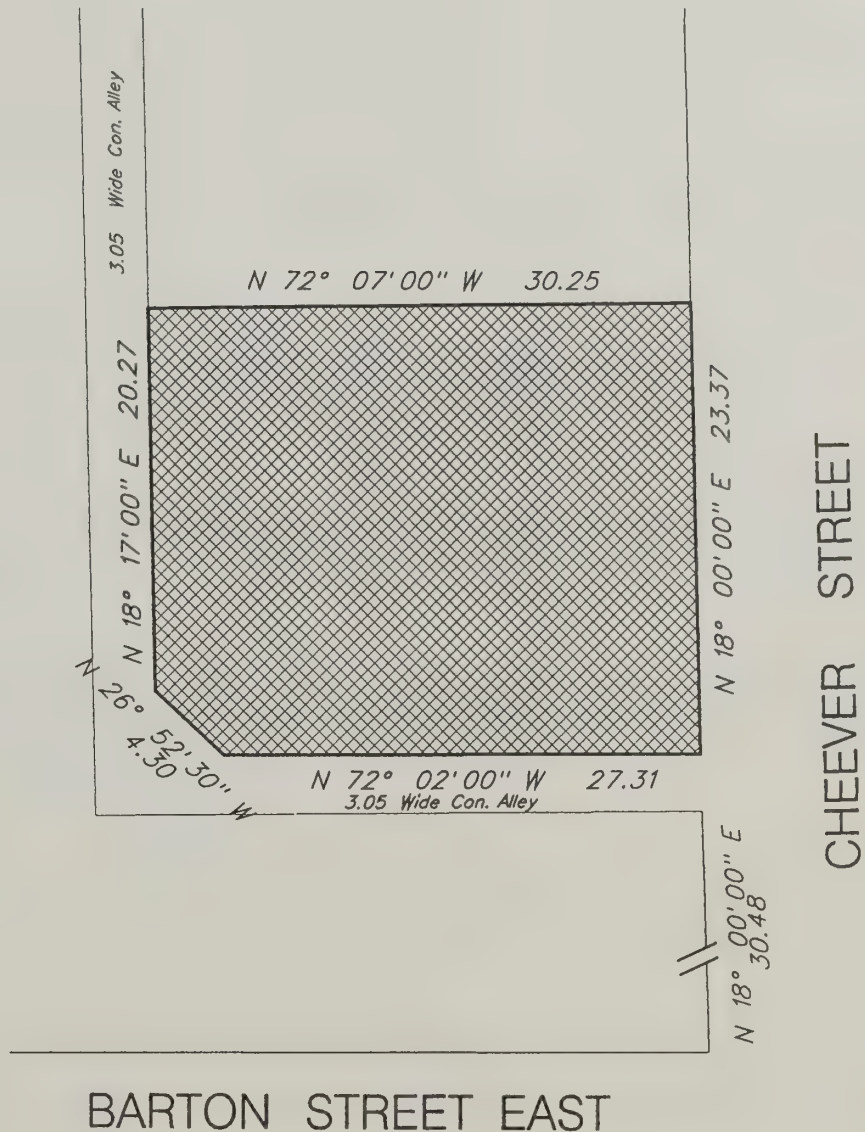
PASSED this 11th day of May A.D. 1999



MUNICIPAL CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-067
Passed the 11th day of May, 1999.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-067

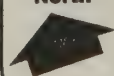
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

 "G-3" (Public Parking Lots) District to
"D" (Urban Protected Residential-One and
Two Family Dwellings, etc.) District modified

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-37
	Date	Drawn By
	December 1998	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99-068

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 98-205

Respecting:

**LANDS LOCATED EAST OF WEST 5TH STREET AND
NORTH OF STONE CHURCH ROAD WEST,
KNOWN MUNICIPALLY AS 965 WEST 5TH STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-205 on the 9th day of July 1998 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 9th Report of the Planning and Development Committee at its meeting held on the 13th day of April 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 98-205, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 1.(b) of Zoning By-law No. 98-205 is hereby repealed in its entirety and the following substituted therefor:

"(b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2",

2. Section 2. of By-law No. 98-205 is hereby repealed in its entirety and following substituted therefor:

"2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9. of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", are amended to the extent only of the special requirements that:

(a) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, the following shall apply:

(i) a front yard having a depth of not less than 4.5m to the main wall of the dwelling shall be provided and maintained;

(ii) a front yard having a depth of not less than 6.0m to the garage or carport shall be provided and maintained; and,

(b) notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot every lot shall have a width of at least 12.0 metres and an area of at least 350.0 square metres within the district."

3. Schedule "A" of Zoning By-law No. 98-205 is hereby repealed and replaced with Schedule "A", attached hereto and forming part of this by-law, in accordance with Section 1 of this by-law and Section 1(a) of By-law No. 98-205.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of this by-law.

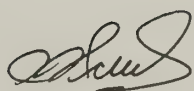
5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1406a.

6. Sheet No. W-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1406a.

7. In all other respects, By-law No. 98-205, is hereby confirmed, unchanged.

8. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

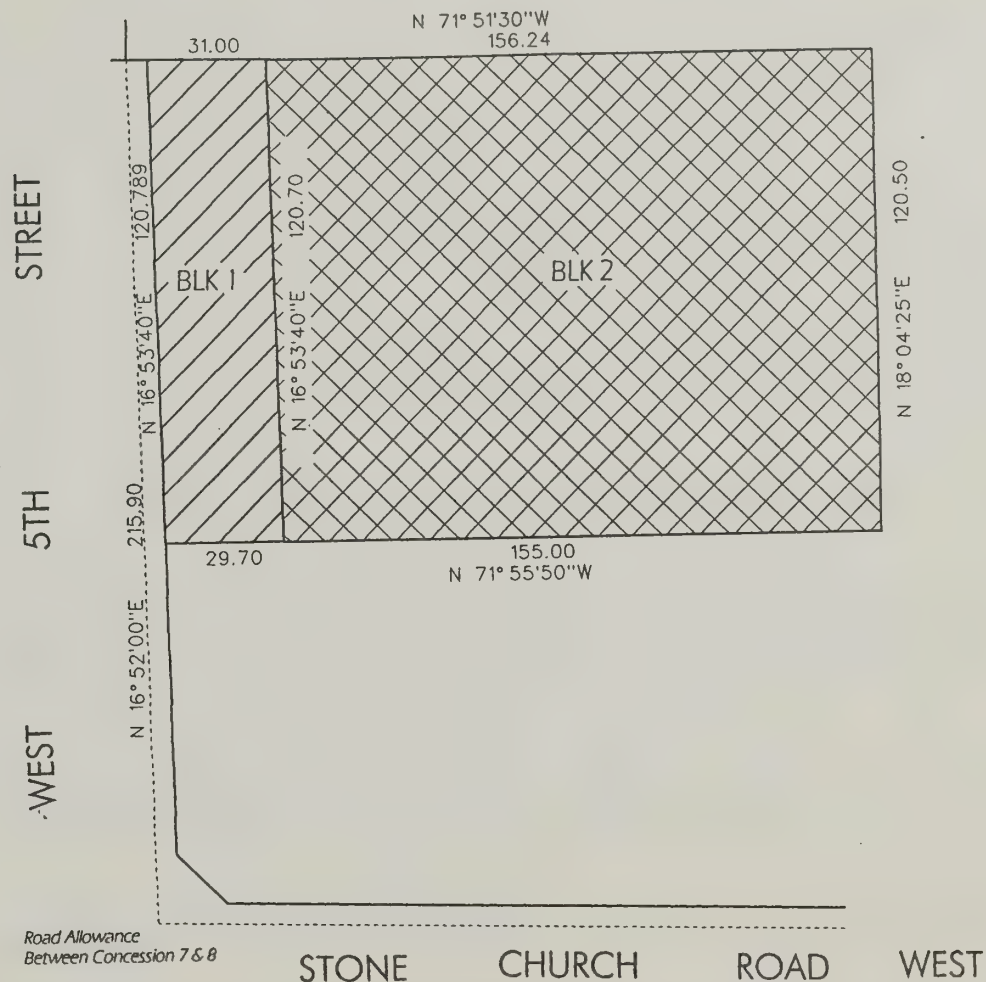
PASSED this 11th day of May A.D. 1999



MUNICIPAL CLERK

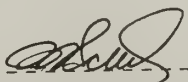



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-068
Passed the 11th day of May, 1999.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-068

to Amend By-Law No. 6593

Planning and Development Department

Change in Zoning from:

BLK 1



"AA" (Agricultural) District
to "C" (Urban Protected Residential)
District.

BLK 2



"AA" (Agricultural) District
to "C" (Urban Protected Residential)
District, modified.

North



Scale
NOT TO SCALE

Date
April, 1999

Reference File No.

ZAC-99-06

Drawn By

J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 99-069

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT
MUNICIPAL NOS. 803, 819, 823, 865 and 871 WEST 5th STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District those lands comprised in Block "1"; and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2"; and
- (c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District modified, those lands comprised in Block "3"; and
- (d) by changing from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District modified, those lands comprised in Block "4"; and
- (e) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, those lands comprised in Block "5",

the extent and boundaries of each of which Blocks "1", "2", "3", "4" and "5" are shown on a plan hereto annexed as Schedule "A".

2. The Freeway Standards regulations, as contained in Section 6 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1(b), (c) and (d) are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 6.(19)(a) of Zoning By-law No. 6593, no residential structure shall be located closer than 12.5 metres from the Mountain Freeway right-of-way.

3. (a) The 'H' symbol applicable to the lands comprised in Block "4" and Block "5" shall be removed conditional upon the availability of all such municipal sewers servicing the subject lands as the City deems necessary.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the land referred to in Section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirement referred to in Section 2 of this by-law.

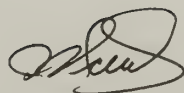
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Freeway Standards regulations, subject to the special requirement referred to in Section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1424.

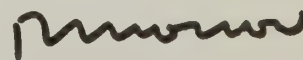
6. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1424.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of May A.D. 1999



MUNICIPAL CLERK

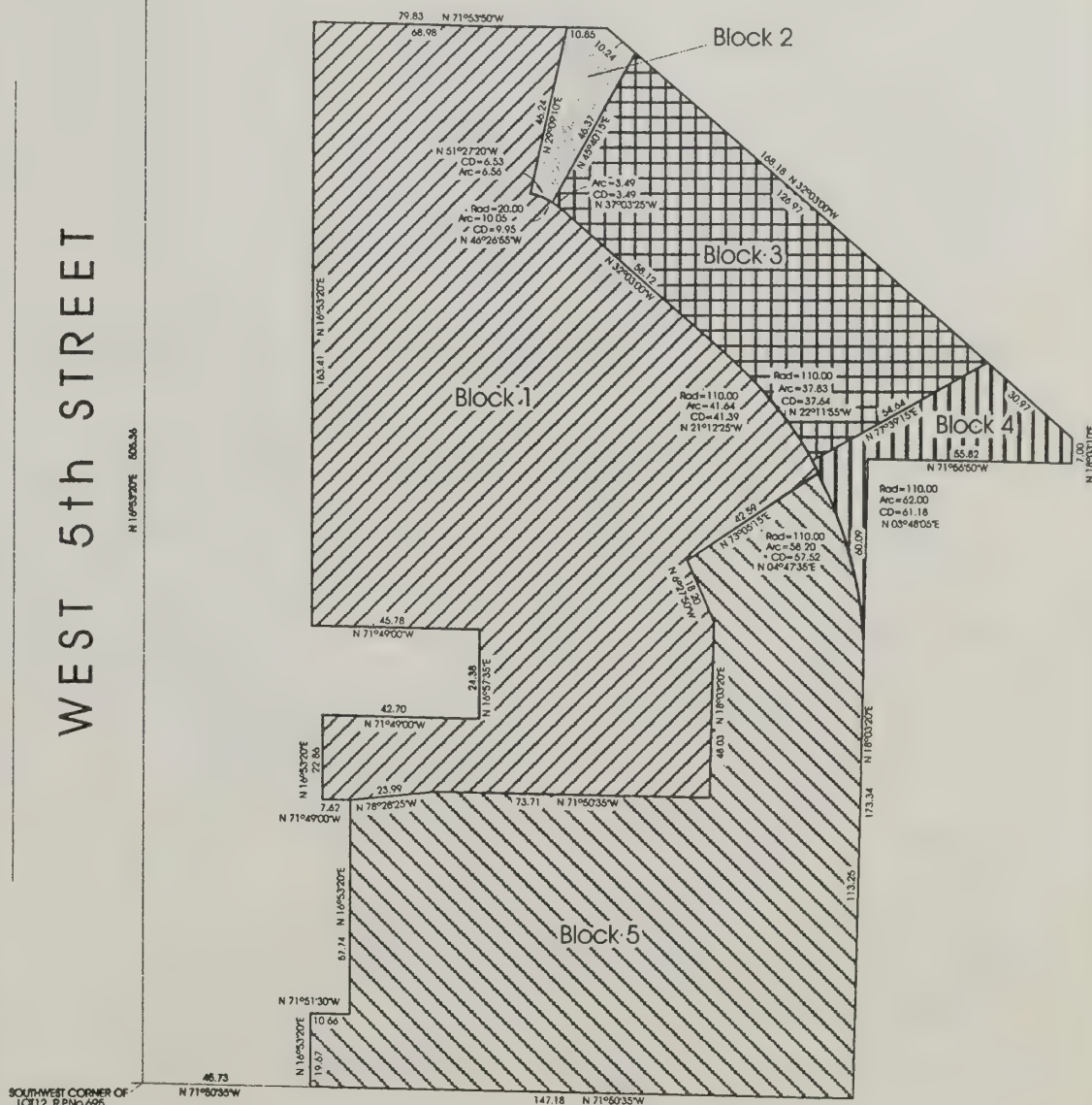



MAYOR

NORTHWEST CORNER OF
LOT 19, B.P.No. 696

ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 6 AND 7

WEST 5th STREET



This is Schedule "A" to By-Law No. 99-069
Passed the 11th day of May, 1999.

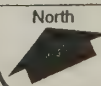

Clerk

.....
Mayor

Planning and Development Department

Change in zoning from:

- | | | |
|---------|---|---|
| Block 1 |  | "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District |
| Block 2 |  | "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified |
| Block 3 |  | "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, modified |
| Block 4 |  | "AA" (Agricultural) District to "C"-H" (Urban Protected Residential, etc. - Holding) District |
| Block 6 |  | "AA" (Agricultural) District to "C"-H" (Urban Protected Residential, etc. - Holding) District |



Scale
Not to Scale
Date
APRIL 1999

Reference File No.
ZA-98-29

Drawn By
D.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-070

To Amend

By-law No. 90-198

Respecting:

FIREWORKS

WHEREAS By-law No. 90-198 was enacted on June 26, 1990 to regulate the sale and setting off of any class or classes of fireworks as authorized by paragraphs 37 and 38 of Section 210 of the Municipal Act, R.S.O. 1990, c. M45

AND WHEREAS Council, on May 11, 1999, in adopting Section 2 of the Ninth Report for 1999 of the Finance & Administration Committee, authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 12, subsection (2) of By-law 90-198 is repealed and the following substituted therefor:
 - (2) "No person shall set off or shall hold a display of Display fireworks without a PERMIT issued by the General Manager of Community Services for the City of Hamilton or his designate."
2. Section 13, subsection (1) of By-law 90-198 is repealed and the following substituted therefor:
 - (1) "Any person eighteen years of age or over, who is duly authorized under the Explosives Act (Canada) and approved thereunder as a Display Fireworks Supervisor by the Chief Inspector of Explosives, may make application in writing to the City of Hamilton, General Manager of Community Services or his designate. "
3. Section 13, subsection (3)(f) of By-law 90-198 is repealed and the following substituted therefor:
 - (3)(f) "such further and other information as the General Manager of Community Services or his designate, after consultation with the Chief of Police and the Fire Chief, may require."
4. Section 15, subsection (1) of By-law 90-198 is repealed and the following substituted therefor:
 - (1) "Before signing and issuing the Permission of Local Authority form, the General Manager of Community Services or his designate shall obtain a report from the Fire Chief and from the Chief of Police."
5. Section 15, subsection (2)(a) of By-law 90-198 is repealed and the following substituted therefor:
 - (2) "The General Manager of Community Services or his designate for the City of Hamilton shall not sign the Permission of Local Authority form where,
 - (a) a report from the Chief of Police under subsection (1) indicates that the Applicant has, within a period of ten (10) years immediately prior to the date of application, a record of criminal conviction for improper or careless use,

or wilful misuse, of fireworks or explosives, or arson or an arson-related conviction, or a record of conviction under this by-law or any of its predecessors, or a report from the Fire Chief under subsection (1) indicates that

the proposed site, is not suitable for a display of Display fireworks, or”

6 Section 15, subsection (3) is hereby repealed and the following substituted therefor:

(3) Where the Applicant has submitted a completed and correct application under Section 13 and the provisions of Section 15(1) have been satisfied, subject to Section 15(2), the General Manager of Community Services or his designate shall sign and issue the Permission of Local Authority.”

7. Section 15, subsections (4), (5), (6), and (7) of By-law 90-198 are hereby repealed.

8. Section 29 of By-law 90-198 is hereby repealed and the following substituted therefor:

29 “Where any holder of a PERMIT fails to comply with a request to inspect pursuant to Section 20(9), or fails to comply with an Order to Comply issued pursuant to Section 28, in addition to any other remedy or penalty under this by-law, the General Manger of Community Services or his designate shall immediately revoke their PERMIT and shall forthwith cause them to be served with a written notice of such revocation and upon service of the notice of revocation the PERMIT holder shall forthwith surrender the PERMIT to the City.

9. Section 30 of By-law 90-198 No. is hereby repealed and the following substituted therefor:

30 “The following person are authorized to enforce this by-law:

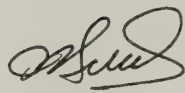
(a) the General Manager of Community Services or his designate or any authorized by-law enforcement officer for the City; and”

10. Schedule 1 to Schedule “A” is hereby repealed and the attached Schedule 1 to Schedule “A” substituted therefor.

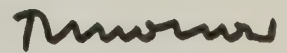
11. Schedule D is hereby repealed and the attached Schedule “D” substituted therefor.

12. In all other respects, By-law No. 90-198 is hereby confirmed, unchanged.

PASSED this 11th day of May 1999, A.D.



MUNICIPAL CLERK



MAYOR

**Schedule I
To
Schedule "A"**

**Hamilton-Wentworth Regional Police
Consent to Disclosure of Personal Information**

I, (Surname) _____ (Given Name) _____
(Please Print)

(Maiden name if applicable) _____

(Address) _____ (Postal Code) _____

(Provide previous address if you did not reside at the above address for more than five years)

(Previous Address) _____

(DOB) Year _____ (Month) _____ (Day) _____ (Sex) _____ (Phone Number) _____

(Drivers Licence Number) _____

Hereby authorize The Hamilton-Wentworth Regional Police Force to release to:

The General Manager of Community Services and/or his designate, regarding City of Hamilton fireworks By-law No. 90- , S.15(3) (a), any information pertaining to me, including records of conviction, that may be contained in the records of the Hamilton-Wentworth Regional Police Force,

OR SPECIFICALLY: arson or arson related convictions and/or incidents, improper or careless use of fireworks convictions and/or incidents.

WAIVER AND RELEASE:

I hereby release and forever discharge The Hamilton-Wentworth Regional Police, its agents and assigns, and all officers of the said Force, from any and all actions, causes of actions, claims and demands for damages, loss or injury, howsoever arising, which may hereafter be sustained by myself, and waive all rights thereto.

Signed this _____ day of _____ 19 _____

Signature of APPLICANT

Signature, organization witness

Where required for LICENCING APPLICATION PURPOSES, I hereby authorize the authority of this document to be valid for a period of SIX MONTHS from the above date:

Signature of applicant

FOR POLICE USE ONLY DISPOSITION: (CLERK) _____ (DATE) _____

COPIED AND RETURNED:

SCHEDULE "D"
To
BY-LAW NO.90-

The Corporation of the City of Hamilton
Hamilton, Ontario

FORM 2

ORDER TO COMPLY

ISSUED TO FIRE WORKS SUPERVISOR	LOCATION
NAME	DATE
ADDRESS	TELEPHONE NO.
TIME	
SPONSORING ORGANIZATION	

In accordance with the City of Hamilton Fireworks By-law No. 90- , an inspection was conducted and the following violations were noted:

PART	SECTION	DETAILS OF VIOLATION

If the above violations are not corrected by (date/time) _____
You will be prosecuted for failure to comply with the requirements of the Firework's By-law.

Section 31, of the City of Hamilton Fireworks By-law, reads as follows:

Every person who contravenes and provision of this By-law is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000.00 exclusive of costs.

N.B. In addition to any other remedy or penalty under this by-law, Section 29 provides that upon failure of any holder of a PERMIT to comply with an Order to Comply, the Manager of Community Services SHALL revoke the PERMIT.

RECEIVED BY	DATE	OFFICER/INSPECTOR	DATE
--------------------	-------------	--------------------------	-------------

DISTRIBUTION:

1. Fireworks Supervisor
2. General Manager of Community Services Division and/or designate
3. Issuing Authority
4. Energy, Mines, and Resources Canada, Explosive Branch - Attention: Chief Inspector of Explosives

BY-LAW NO. 99 - 071

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF MAY ,
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

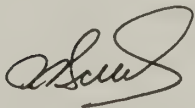
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

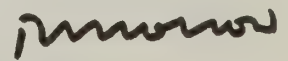
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of May A.D. 1999.



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 -072

**CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 18TH DAY OF MAY 1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

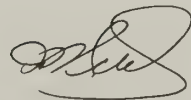
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 18th day of May 1999



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 073

To Amend By-law 93-167 Respecting:

BUILDING PERMIT AND INSPECTION FEES

WHEREAS it is expedient to provide for a fee for field inspections of property, and for the clearing of an outstanding work order other than a registered Property Standards Order;

AND WHEREAS By-law No. 93-167 as amended by various by-laws including By-law No. 98-174, provides for fees in respect of building permits;

AND WHEREAS fees and charges may be imposed under the authority of the Municipal Act, R. S. O. 1990, c. M-45, and the Building Code Act, S.O. 1992, c. 23, both as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The Building Permit By-law being By-law No. 93-167 as amended, is hereby further amended by repealing Schedule "A" and replacing it, with Schedule "A" attached to and forming part of this by-law.

2. By-law No. 93-167 as amended, is hereby further amended by adding the following clause, as Clause 3 of Schedule "B":

"3. Notwithstanding this by-law and in particular section 9A of this by-law as amended, the Field Inspection Fee is wholly non-refundable after the inspection has taken place."

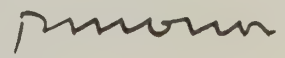
3. (1) This by-law comes into force on the day of its enactment.

(2) In all other respects By-law 93-167 as amended is confirmed without change.

PASSED this 25th day of May A.D. 1999.


Acting Municipal Clerk




Mayor

Schedule "A" to By-law 93-167, as enacted in By-law 99- 073

Column 1	Column 2
Classes of Permits or Other Fees	Fees
1. Permit for construction of a building or part thereof	Basic Fee of \$150.00 for construction up to \$10,000.00 plus an amount calculated at the rate of \$9.00 per each \$1,000.00 or part thereof of the cost or valuation of construction in excess of the first \$10,000.00
2. Permit for the installation of an air conditioning unit or heat pump	\$75.00
3. Permit for installation of siding for a single family dwelling	\$75.00
4. Permit where the cost of construction is less than \$1,000.00	\$75.00
5. Permit for installation of a tent:	
(1) Where the area of a single tent is 56 m ² (603 square feet) or less, and not more than two tents on a site	\$25.00
(2) Where the area of a single tent exceeds 56 m ² (603 square feet), and not more than two tents on a site	\$40.00
(3) Where more than two tents are on a site	\$40.00, plus an amount calculated at a rate of \$9.00 per each \$1,000.00 or part thereof of the cost or valuation of construction in excess of the first \$10,000.00
(4) Where tents are erected on City owned property for a civic function	\$0.00
6. Permit for demolition of:	
(1) a building, other than (2) or (3)	\$220.00 plus an amount calculated at the rate of \$25.00 per each additional 3,000 cubic meters or part thereof in excess of the first 3,000 cubic meters
(2) a non-serviced accessory building	\$100.00
(3) a garage or shed of a single family dwelling	\$75.00

The Corporation of the City of Hamilton

BY-LAW NO. 99- 074

To Amend By-law 98-243 Respecting:

PROPERTY STANDARDS FEES

WHEREAS it is expedient to amend the Property Standards By-law No. 98-243, to provide a fee for a field inspection and clearance of registered orders, and to make housekeeping changes respecting fees applicable under the by-law;

AND WHEREAS fees and charges may be imposed under the authority of the Municipal Act, R. S. O. 1990, c. M-45, as amended, section 220.1, and the Building Code Act, S.O. 1992, c. 23, as amended, in particular section 15.5;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-243, as may be amended, is hereby further amended by repealing and replacing section 39 with the following:

"39(1) Certificate of Compliance: Every owner may make an application to the City for a certificate of compliance, and shall lodge the application with the Property Standards Officer.

(2) Fees for Certificates: An applicant shall pay the applicable fees for a certificate of compliance at the time the application is made, as follows:

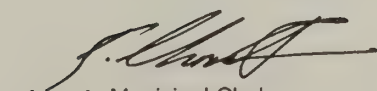
- (a) For a single family dwelling, \$220.00;
- (b) For a two-family dwelling, a three-family dwelling, or multiple dwelling, \$220.00 plus an amount calculated at the rate of \$30.00 for each additional dwelling unit in excess of the first dwelling unit;
- (c) For a lodging house, second level lodging house, or nursing home, \$220.00 plus an amount calculated at the rate of \$20.00 for each permitted resident; and
- (d) For all other buildings, \$220.00 plus an amount calculated at the rate of \$10.00 per 1,000 square feet of gross floor area for the gross floor area in excess of the first 1,000 square feet.

(3) Fee for Inspection: Where a property standards order has been registered, a person may apply for an inspection of the property in respect of the order and shall pay a fee of \$175.00 at the time of application, which fee includes the registration of a discharge where compliance with the order is found."

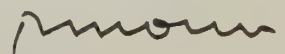
2. (1) This by-law comes into force on the day of its enactment.

(2) In all other respects By-law 98-243 as amended is confirmed without change.

PASSED this 25th day of May A.D. 1999.


Acting Municipal Clerk





Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99 - 075

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF GREENHILL AVENUE, WEST OF
WEBSTER ROAD AND NORTH OF THE EXISTING RAILWAY LINE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-107 of the District Maps appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block "1"; and,
- (b) by changing from "C" (Urban Protected Residential, etc) District to "A" (Conservation, Open Space, Park and Recreation) District, the lands comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 25th day of May

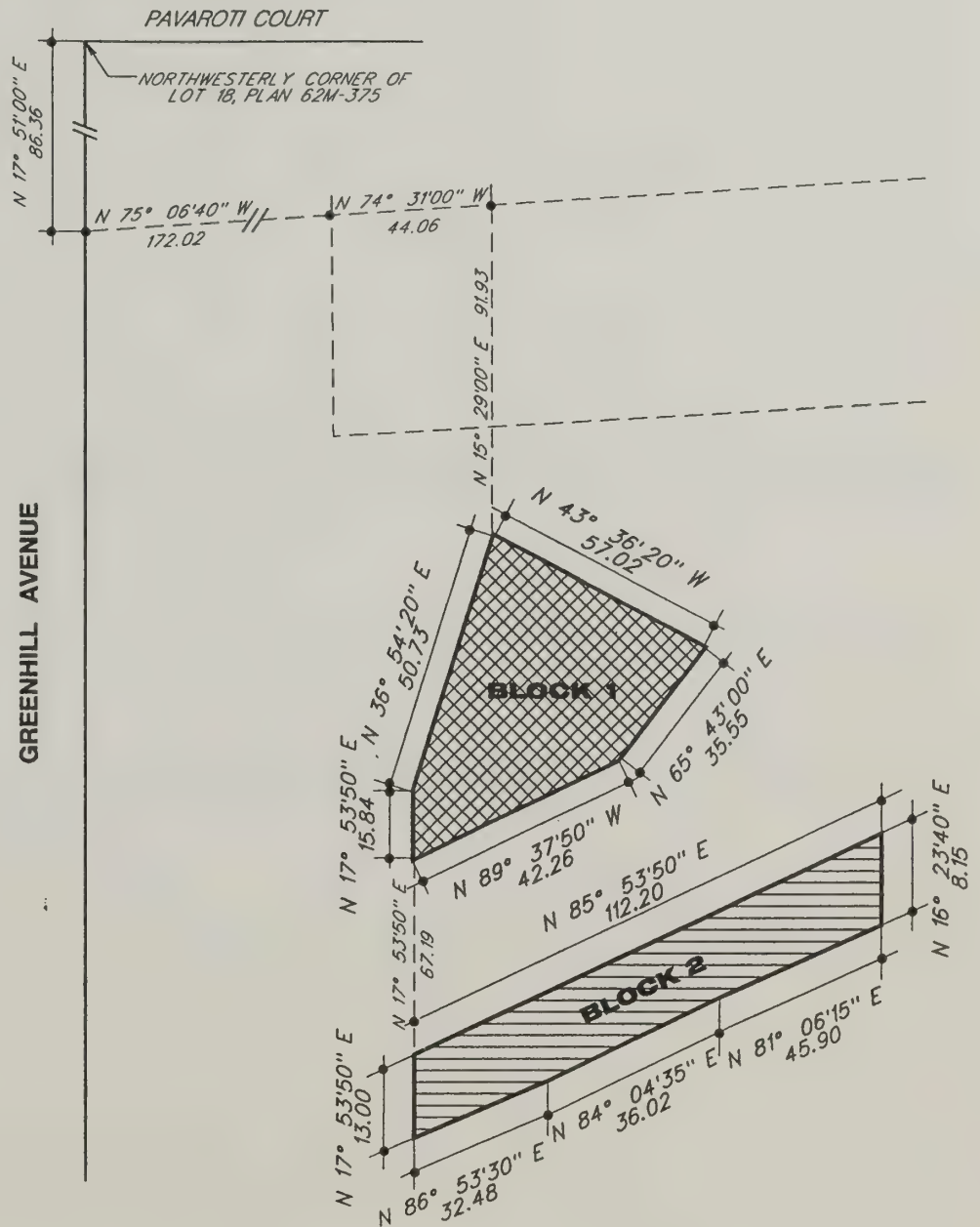
A.D. 1999


MUNICIPAL CLERK




MAYOR

(1998) 11 R.P.D.C. 1, May 26
Horvat Properties, Owner
ZAC-98-12



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-075
Passed the 25th day of May, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-075

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

Block 1



"A" (Conservation, Open Space, Park and Recreation) District to "C" (Urban Protected Residential, etc.) District

Block 2



"C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District

North



Scale

NOT TO SCALE

Date

May, 1999

Reference File No.

ZAC-98-12

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 076

To Adopt:

Official Plan Amendment No. 159

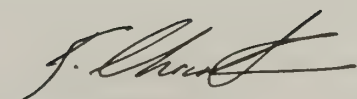
Respecting:

**LANDS LOCATED ON THE WEST SIDE OF UPPER WENTWORTH STREET,
NORTH OF RYMAL ROAD EAST, WITHIN THE BARNSTOWN NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 159 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 25th day of May A.D. 1999


CLERK





MAYOR

Amendment No. 159

to the

City of Hamilton Official Plan

The following text together with Schedule "A" – Land Use Concept, attached hereto, constitutes Official Plan Amendment No. 159.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Residential" to "Major Institutional" on Schedule "A" – Land Use Concept of the Official Plan.

Location:

The lands affected by this Amendment are located on the west side of Upper Wentworth Street, north of Rymal Road East, within the Barnstown Neighbourhood.

Basis:

The proposal is to develop the subject lands for a two-storey nursing home. The basis for permitting this proposal is as follows:

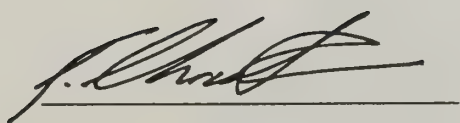
- 1) The site is suitably located on the periphery of the Barnstown Neighbourhood. More intense development is encouraged to locate along the major arterial roadway system;
- 2) It is situated on a public transit route and is in close proximity to a shopping centre at the north-east corner of Upper Wentworth and Rymal Road;
- 3) The proposed building, having a maximum height of two storeys, would be compatible with the existing townhouse developments to the north and west; and,
- 4) There is a growing demand for this type of facility due to the aging population.

Actual Change:

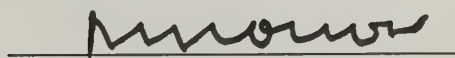
Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the subject lands from "Residential" to "Major Institutional", as shown on the attached Schedule "A" of this Amendment.

This is Schedule "1" to By-law No. 99- 076 passed on the 25th day of May , 1999.

The Corporation of the
City of Hamilton



Acting Municipal Clerk



Mayor

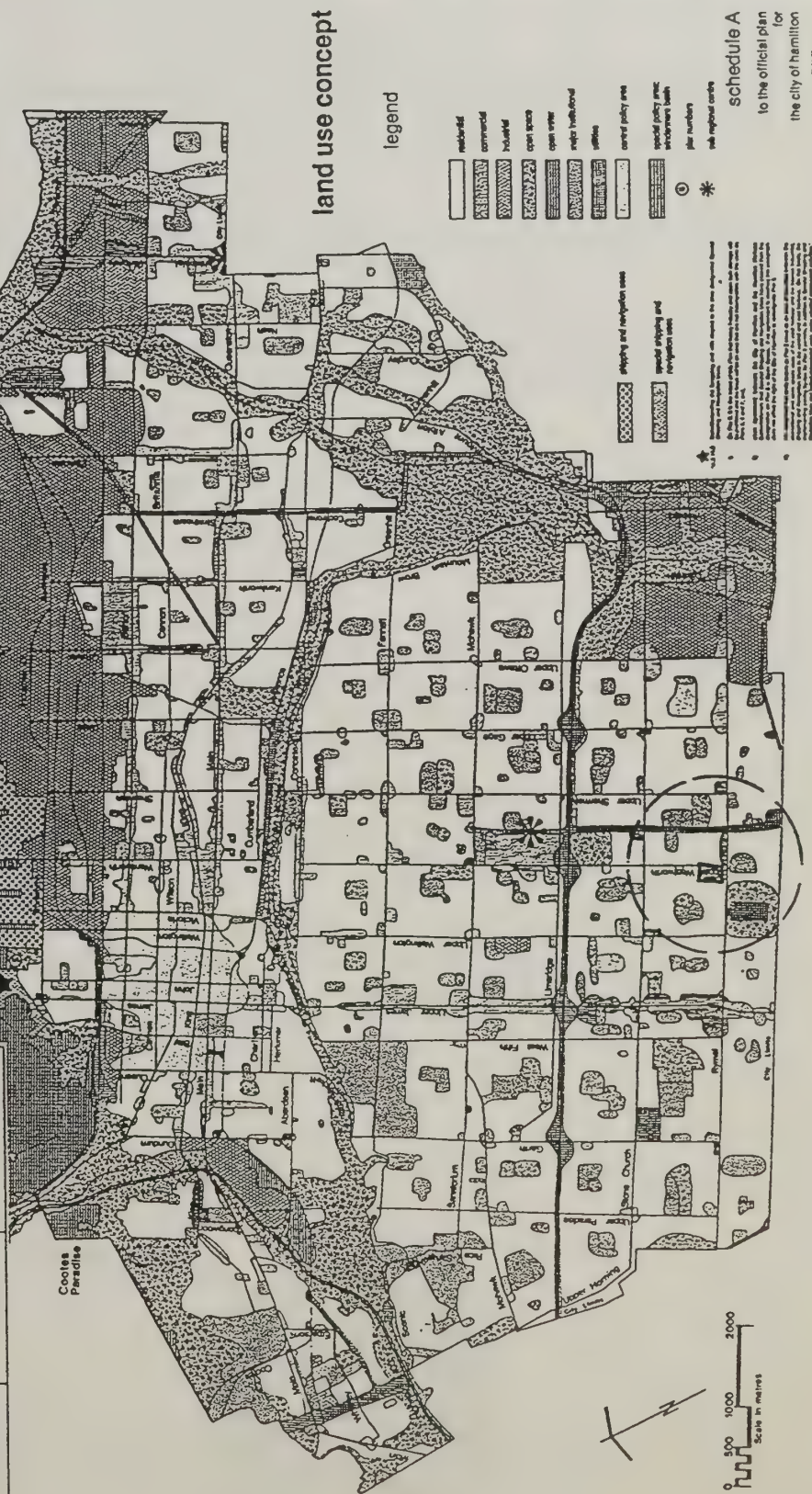


schedule "A" **Amendment no.159**

to the
official plan
for the
city of hamilton

legend

	area to be changed from "Residential" to "Major Institutional"
date	reference file no.
May 1999	OPA159
drawn by	
F.Angelid	



BY-LAW NO. 99 - 077

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25 DAY OF MAY,
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

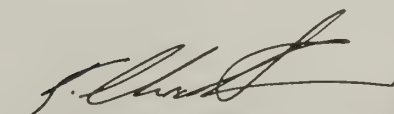
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

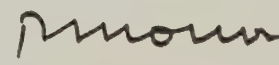
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25 day of May

A.D. 1999


ACTING MUNICIPAL CLERK


MAYOR



244 ON HBL 108
B91

Bill No. B-1

BY-LAW NO. 99 -078

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 15th DAY OF JUNE, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

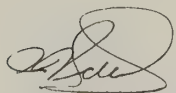
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

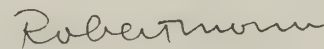
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 15th day of June

A.D. 1999



MUNICIPAL CLERK



MAYOR



BY-LAW NO. 99 - 079

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF JUNE,
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

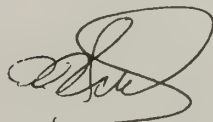
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

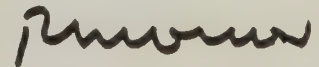
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28th day of June

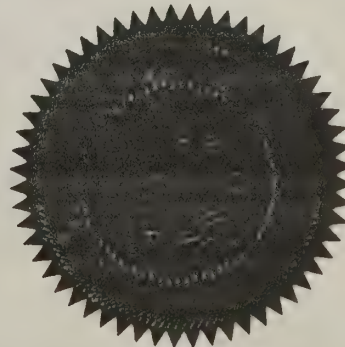
A.D. 1999



MUNICIPAL CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-080

TO STOP UP, CLOSE AND SELL A PORTION OF
THE ALLEY ON REGISTERED PLAN 272,
LYING BETWEEN GLENFERN AVENUE & AMELIA STREET,
DESIGNATED AS PARTS 1 TO 9, 14 & 15, ON PLAN 62R-14134,

AND

TO SELL OF A PORTION OF THE CLOSED ALLEY
ON REGISTERED PLAN 275,
LYING BETWEEN LOTS 34 & 35, REGISTERED PLAN 275,
DESIGNATED AS PART 11, ON PLAN 62R-14134

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 1 of the 16th Report of the Transport and Environment Committee on 1996 December 10, authorized that steps be commenced,

- a) pursuant to the Municipal Act for the closure and sale by by-law of that portion of the assumed Alley on Registered Plan 272, lying between Glenfern Avenue and Amelia Street, now designated as Parts 1 to 9, 14 & 15, on Plan 62R-14134; and,
- b) pursuant to the Registry Act for a Judge's Order to close that portion of the unassumed Alley on Registered Plan 275, designated as Part 11, 62R-14134 and, pursuant to the Municipal Act, to enact a by-law to authorize the sale of the said portion of the Alley closed by Judge's Order;

AND WHEREAS a Judge's Order was issued and registered as instrument number LT 530771 to close the portion of the unassumed Alley on Registered Plan 275 designated as Part 11, 62R-14134;

AND WHEREAS the said Alleys are highways under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) That the portion of the Alley on Registered Plan 272 described as,

part of the Alley lying between Glenfern Avenue and Amelia Street, established by Registered Plan 272, and designated as Parts 1 to 9, 14 & 15, on Plan 62R-14134, in the City of Hamilton
Regional Municipality of Hamilton-Wentworth

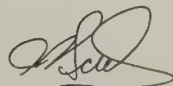
is hereby stopped up and closed.

- (b) That the soil and freehold in the said portion of the closed highway be disposed of as follows:

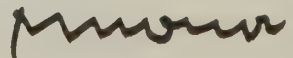
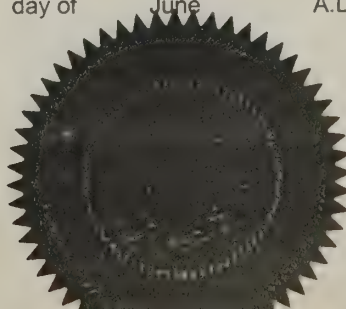
- (i) that a Sewer Easement in that portion of the closed highway designated as Parts 1 to 9, 14 and 15 on Plan 62R-14134 is granted to The Regional Municipality of Hamilton-Wentworth;
 - (ii) that a Bell Easement in that portion of the closed highway designated as Parts 1 to 9, 14 and 15 on Plan 62R-14134 is granted to The Bell Canada;
 - (iii) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Part 1 on Plan 62R-14134 be sold to R. Pudritz and P. Monger (abutting owners), or to their successors in title, for the sum of \$2.00, in accordance with the provisions of their Offer to Purchase dated April 6th, 1999,
 - (iv) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Parts 3, 4 and 14, on Plan 62R-14134 be sold to Robert & Margaret Botts (abutting owners), or to their successors in title, for the sum of \$2.00, in accordance with the provisions of their Offer to Purchase dated May 7th, 1999,
 - (v) that, subject to the said Sewer & Bell Easements, that portion of the closed highway designated as Parts 2, 5, 6, 7, 8, 9 and 15, on Plan 62R-14134 be authorized for sale in accordance with the requirements of the Municipal Act to the respective owners abutting each portion of the closed Alley for the price of \$2.00 per parcel.
 - (vi) that in the event the abutting owners or any of them, do not exercise their right to make an Offer to Purchase the said abutting closed portions of the Alley within 45 days of the passing of this By-Law, then,
 - (aa) that portion of the closed highway designated as Part 2, 62R-14134 be sold, subject to the said Sewer & Bell Easements, to R. Pudritz and P. Monger in accordance with their Offer to Purchase dated 1999 April 6; and,
 - (bb) that portion of the closed highway designated as Parts 8 and 15, 62R-14134 be sold, subject to the said Sewer & Bell Easements, to Robert & Margaret Botts in accordance with their Offer to Purchase dated 1999 May 7th; and,
 - (cc) those portions of the closed highway designated as Parts 5, 6, 7 and 9, on Plan 62R-14134, subject to the said Sewer & Bell Easements, be offered and sold to non abutting owners for the same price.
2. That the soil and freehold in the portion of the Alley established by Registered Plan 275 and closed by the said registered Judge's Order, described as,
- that part of the Alley established by Registered Plan 275 lying between Lot 34 and Lot 35, Registered Plan designated as Part 11, on Reference Plan 62R-14134, and closed by Judge's Order registered as Instrument number LT 530771,
- be disposed of by sale for a sum of \$2.00 to the abutting owners R. Pudritz and P. Monger in accordance with their Offer to Purchase dated 1999 April 6.
3. That this By-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth.

Passed this 29th day of June A.D.

1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 081

TO STOP UP, CLOSE AND SELL A PORTION OF
THE PUBLIC WALKWAY DESIGNATED AS BLOCK B, ON PLAN M-127
LYING BETWEEN
FORESTGATE DRIVE AND WENDOVER DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statues of Ontario, 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 4 of the 9th Report of the Planning & Development Committee on 1999 April 13, authorized that steps be commenced, pursuant to the Municipal Act for the closure and sale by by-law of that portion of the public walkway, lying between Forestgate Drive and Wendover Drive, designated as Block B, on Plan M-127;

AND WHEREAS the said public walkway is a highway under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

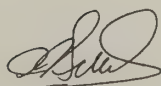
AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

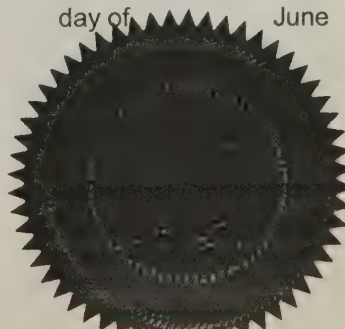
1. (a) That the portion of the public walkway described as Block B, Plan M-127, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, is hereby stopped-up and closed.
- (b) That the soil and freehold in the said portion of the closed highway be disposed of, in the following manner:
 - (i) that portion of the closed public walkway be authorized for sale in accordance with the requirements of the Municipal Act for the price of \$2.00 to the respective owners abutting each portion of the closed public walkway.
 - (ii) that in the event the abutting owners or any of them, do not exercise their right to make an Offer to Purchase the said abutting closed portions of the public walkway within 45 days of the passing of this By-Law, then those portions of the closed public walkway be offered and sold to non abutting owners for the same price.
2. That this By-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth.

Passed this 29th day of June

A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 082

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 46, PLAN 62M-848
INTO DISTIN DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Distin Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

2. That the following land is hereby established and laid out as a public highway to form part of Distin Drive;

All of Block 46, Plan 62M-848.

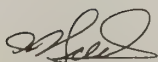
City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of June A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 083

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 99, PLAN 62M-475
INTO SUNDOWN DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sundown Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Sundown Drive;

All of Block 99, Plan 62M-475.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

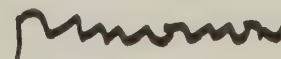
2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 29th day of June A.D. 1999



Municipal Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 084

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That By-law 89-72, as amended, is hereby further amended by repealing Section 40(q) thereof, and by substituting therefor the following section:-

"40(q) at any school bus loading zone listed in schedule 31 provided suitable signs are erected and maintained, save and except:

- (i) any school bus while being loaded or unloaded for a period of time no longer than is reasonably necessary for such purpose; and,
- (ii) any taxicab while engaged in loading or unloading passengers, provided that suitable signs exempting taxicabs have been erected and are maintained;"

2. That **Schedule 24 (Parking Meter Locations)** of By-law 89-72, as amended, is hereby further amended by adding to **Section 2(b)** thereof, (Two Hour Limit - one dollar per hour), the following items, namely:-

"Vine	North	James to MacNab
Vine	South	James to Park"

and by deleting from **Section 3(b)** thereof, (One Hour Limit - one dollar per hour), the following items, namely:-

"Vine	North	MacNab to James
Vine	South	Park to James"

3. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Cathcart	East	Wilson to Kelly	1hr	8am - 8am (24 hrs)	Mon - Sun
Dunsmure	North	Sherman to 70 feet westerly	2hr	8am - 8am (24 hrs)	Mon - Sat
West 3rd	Both	Monarch to Wembley	1hr	8am - 8am (24 hrs)	Mon - Sun"

4. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Locke	West	commencing at Canada and extending 53 feet southerly therefrom		Anytime
Crerar	West	Rockview to northerly end		Anytime
Hughson	East	commencing 53 feet south of Murray and extending 21 feet southerly therefrom	8am - 5pm	Mon - Fri
Bay	West	commencing at the extended north curb line of Burlington and extending 92 feet southerly therefrom		Anytime
East 25th	West	commencing 25 feet south of Concession and extending 25 feet southerly therefrom		Anytime"

and by deleting therefrom the following items, namely:-

"Locke	West	commencing at a point 42 feet south of Canada to a point 22 feet southerly		Anytime
Inverness	South	Upper Wellington to 148 feet west	7am - 6pm	Mon - Sat
Bay	West	North street line of Burlington to 130 ft. south		Anytime
West 3rd	East	Monarch to Wembley		Anytime"

5. That **Schedule 26(A) (Loading Zones)** of By-law 89-72, as amended is hereby further amended by adding thereto the following item, namely:-

"Inverness	South	148 feet	Upper Wentworth	7:00 a.m. - 6:00 p.m" Monday to Saturday
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6. That **Schedule 27 (Alternate Side Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Crerar Drive	West	East
south curb line of Pescara Avenue to south curb line of Rockview Avenue		

Brucedale Avenue Sherwood Rise to High Street	North	South
West 3rd Street Fennell Avenue to Wembley Road	East	West"

and by deleting therefrom the following items, namely:-

"Crerar South curb line of Pescara to north end	West	East
Westbourne Road Main Street to Sanders Boulevard	East	West
Brucedale Avenue Sherwood Rise to High Street	South	North
West 3rd Fennell to Monarch	East	West"

7. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Charlton	North	commencing 416 feet west of Dundurn and extending 20 feet westerly therefrom	Anytime
Catharine	West	commencing 42 feet south of Murray and extending 38 feet southerly therefrom	Anytime
Melvin	South	commencing 25 feet west of Glennie and extending 25 feet westerly therefrom	Anytime
Mars	South	commencing 111 feet west of Cheever and extending 18 feet westerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"Catharine	West	commencing 63 feet south of Murray and extending 18 feet southerly therefrom	Anytime
Strachan	South	commencing 62 feet east of MacNab and extending 20 feet easterly therefrom	Anytime
Fullerton	East	from a point 212 feet south of Princess to a point 25 feet southerly therefrom	Anytime
Paling	East	commencing 603 feet south of Barton and extending 27 feet southerly therefrom	Anytime
Inverness	North	commencing at a point 60 feet east of East 19th to a point 24 feet easterly therefrom	Anytime
Cope	East	commencing 40 feet south of Barton and extending 19 feet southerly therefrom	Anytime
West 3rd	West	Monarch to Wembley	Anytime"

8. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
9. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 29th day of June 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99-085

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Schedule 10 (Stops At Intersections) of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Appleblossom	Westbound	Brigadoon
Larch	Eastbound and Westbound	Currie
Gagliano	Eastbound	Eaglewood
Bow Valley	Northbound	Bow Valley/Highridge
Templemead	Eastbound and Westbound	Mount Pleasant"

2. That **Schedule 28 (Taxi Stands)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Glen Echo	West	102 feet	106 feet north of of the north curb line of the south leg of Loyalist	7:00 a.m. - 6:00 p.m." Monday to Saturday
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3. That **Schedule 29 (No Stopping Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Robert	North	commencing 72 feet east of East and extending 80 feet easterly therefrom	Anytime
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Rexford	East	commencing 20 feet north of Atherley and extending 172 feet northerly therefrom	7 am - 6 pm	Mon - Sat
Churchhill	South	Prince George to the easterly end	8 am - 5 pm	Mon - Fri
Prince George	East	Churchhill to a point 120 feet southerly	7 am - 6 pm	Mon - Sat
Golfwood	East	from the extended south curb line of Atkins to 103 feet northerly	8 am - 5 pm	Mon - Fri"

and by deleting therefrom the following item, namely:-

"East 25th	West	Concession to 50 feet south	Anytime"
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4. That **Schedule 31 (School Bus Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Queensdale North	50 feet	commencing 203 feet east of Prince George	7:00 a.m. - 6:00 p.m."
			Monday to Saturday

and by deleting therefrom the following items, namely:

"Queensdale North	50 feet	commencing 173 feet east of Prince George	7:00 a.m. - 6:00 p.m.
			Monday to Saturday

Glen Echo	West	102 feet	commencing 106 feet north of the north curb line of the south leg of Loyalist	7:00 a.m. - 6:00 p.m."
				Monday - Saturday

5. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Queensdale North	30 feet	173 feet east of Prince George	7:00 a.m. - 6:00 p.m.
			Monday to Saturday

Cope	East	19 feet	40 feet south of Barton	Anytime
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Donnici	South	22 feet	144 feet east of Filice	Anytime"
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and by deleting therefrom the following item, namely:-

"William	East	12 feet	422 feet north of Barton	Anytime"
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6. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
7. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 29th day of June 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 086

TO ALTER LIMERIDGE ROAD EAST FROM UPPER OTTAWA STREET TO
APPROXIMATELY 32M WESTERLY AND CLOSING IT TO WESTBOUND TRAFFIC

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highway known as Limeridge Road East is a local road under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 46 of the 4th Report of the Transport and Environment Committee on April 27, 1999, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Limeridge Road East as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

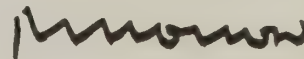
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to Limeridge Road East from Upper Ottawa Street to approximately 32m westerly, for the purpose of narrowing the travelled portion of the said street from the existing width of 19.0 metres to a width of 5.4 metres; and closing the road to westbound traffic, as illustrated in Schedule "A" attached hereto.
2. That the Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the said works.

PASSED this 29th day of June, 1999.



MUNICIPAL CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 99- 087

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT
MUNICIPAL NOS. 803, 819, 823, 865 and 871 WEST 5th STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District those lands comprised in Block "1"; and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, those lands comprised in Block "2"; and
- (c) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District modified, those lands comprised in Block "3"; and
- (d) by changing from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District modified, those lands comprised in Block "4"; and
- (e) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, those lands comprised in Block "5",

the extent and boundaries of each of which Blocks "1", "2", "3", "4" and "5" are shown on a plan hereto annexed as Schedule "A".

2. The Freeway Standards regulations, as contained in Section 6 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1(b), (c) and (d) are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 6.(19)(a) of Zoning By-law No. 6593, no residential structure shall be located closer than 12.5 metres from the Mountain Freeway right-of-way.

3. (a) The 'H' symbol applicable to the lands comprised in Block "4" and Block "5" shall be removed conditional upon the availability of all such municipal sewers servicing the subject lands as the City deems necessary.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the land referred to in Section 1 may at such time proceed in accordance with the "C" District provisions, subject to the special requirement referred to in Section 2 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Freeway Standards regulations, subject to the special requirement referred to in Section 2.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1424.

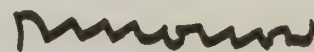
6. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in Section 1 of this by-law, S-1424.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of June A.D. 1999



MUNICIPAL CLERK

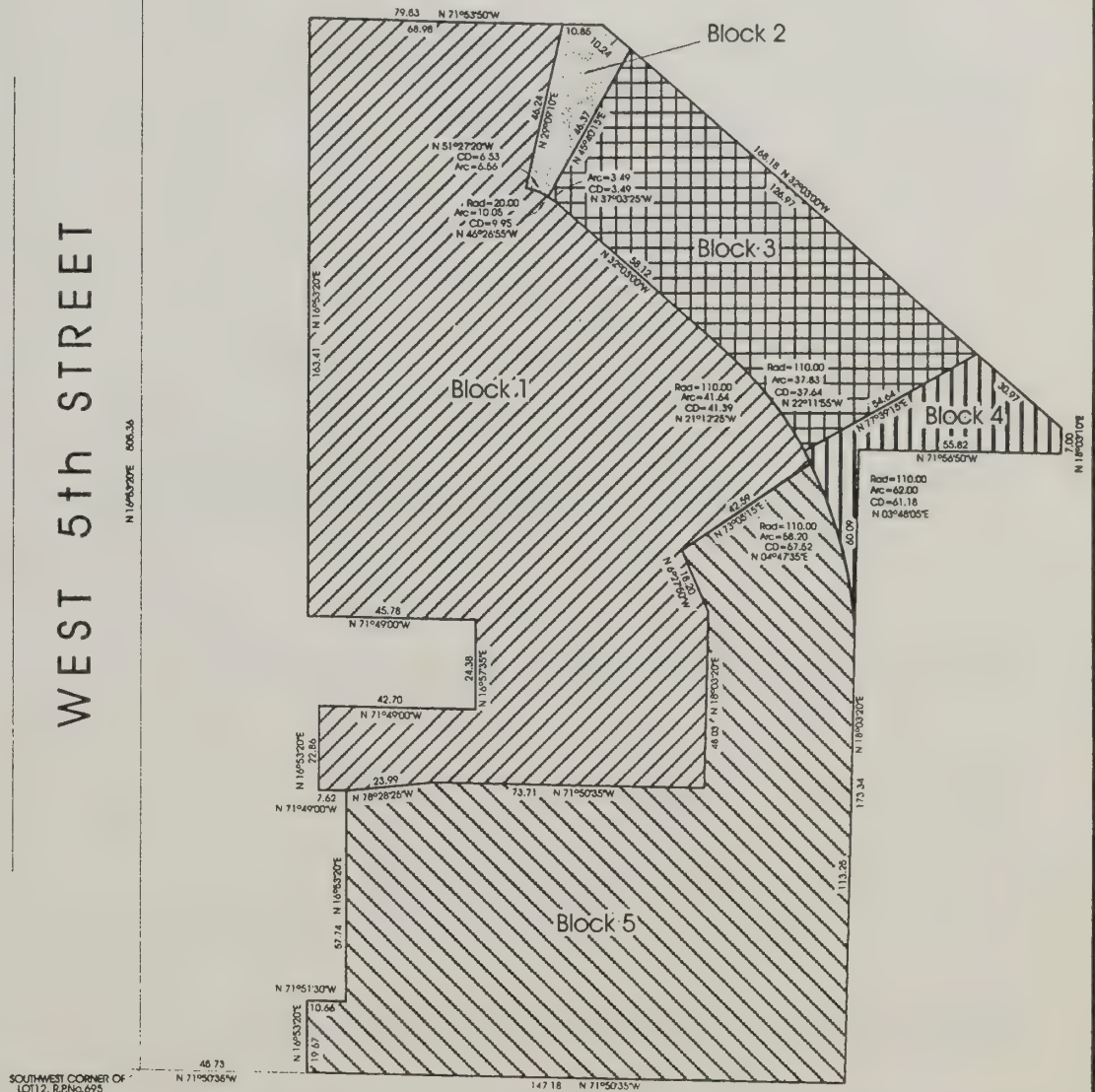
MAYOR

LIMERIDGE ROAD WEST

NORTHWEST CORNER OF
LOT 19, R.R.No.695

ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 6 AND 7

WEST 5th STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-087
Passed the 29th day of June, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 99-087.

Community Planning and Development Division

Legend

Change in zoning from:

- Block 1 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,
- Block 2 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified,
- Block 3 "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, modified
- Block 4 "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District
- Block 5 "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. - Holding) District

North



Scale
Not to Scale
Date
June 1999

Reference File No.
ZA-98-29
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 99-088

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE NORTHEAST CORNER
OF REXFORD DRIVE AND ROBERTSFIELD DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block "1"; and,
- (b) by changing from "AA" (Agricultural) District to "R-4" - 'H' (Small Lot Single Family Dwelling - Holding) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

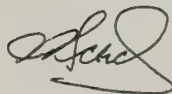
2. (a) The 'H' symbol applicable to the land comprised in Block "2" shall be removed conditional upon,

- (i) the owner acquiring the parcel of land shown as Block 26 on Plan 62M-454 and merging it in title with Block "2"; and,
- (ii) the owner paying all outstanding land, servicing, roadway costs to the City of Hamilton and the Region of Hamilton-Wentworth, prior to lifting the 0.30 m reserve adjacent to Robertsfeld Drive and that the owner be responsible for preparing the required Reference Plan to lift the 0.30 m reserve.

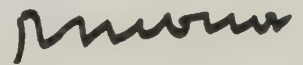
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Block "2" may at such time proceed in accordance with the "R-4" District provisions.

3. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of June A.D. 1999

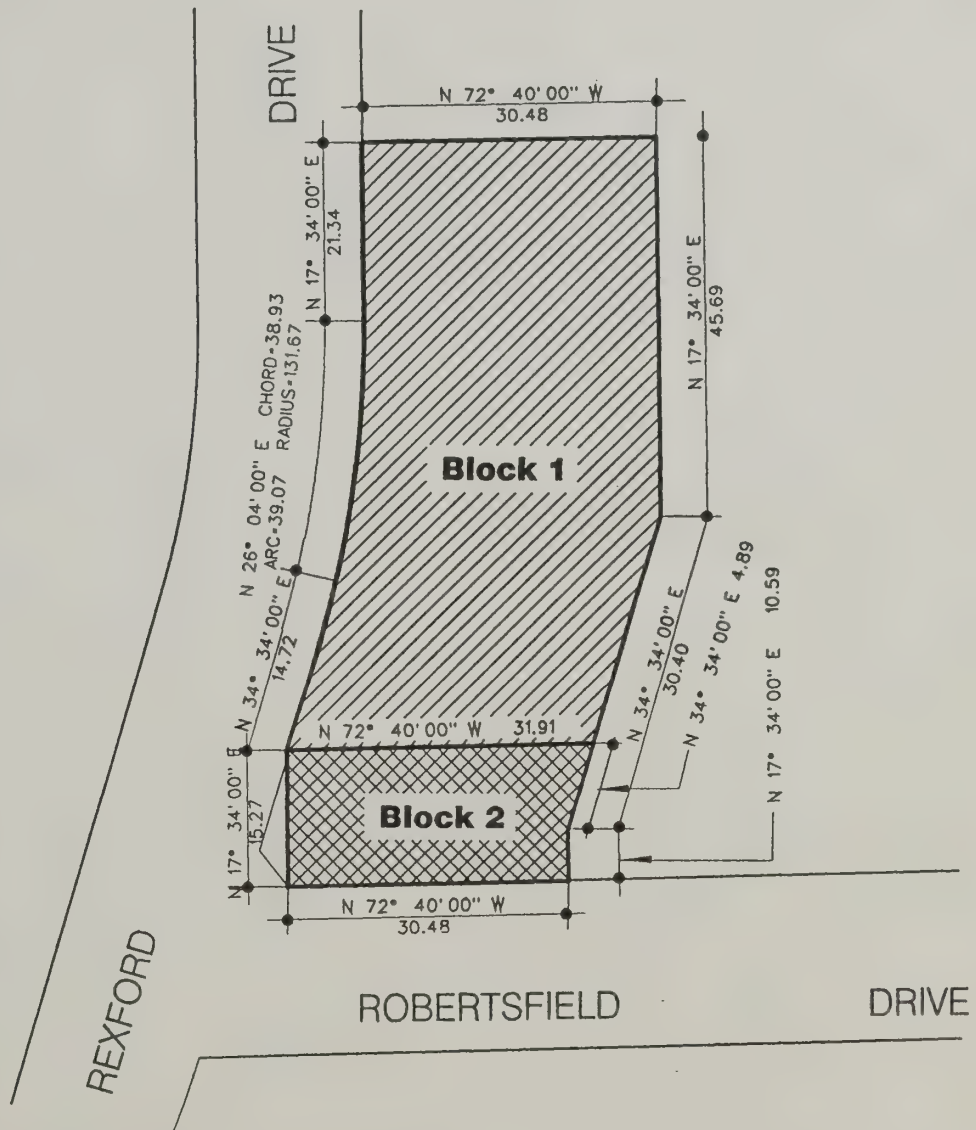


MUNICIPAL CLERK



MAYOR

(1999) 10 R.P.D.C. 1, April 27
1272689 Ontario Ltd.,
Alwilayad Islamic Association, Owner
(c/o Hussein Ghaddar)
ZAC-99-05



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-088.....
Passed the29th day of June....., 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99- 088

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- Block 1**
 "AA" (Agricultural) District to
 "R-4" (Small Lot Single Family Dwelling) District
- Block 2**
 "AA" (Agricultural) District to
 "R-4"-H' (Small Lot Single Family Dwelling)
 District - Holding

North



Scale

NOT TO SCALE

Date

May, 1999

Reference File No.

ZAC-99-05

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99-089

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 98-210

Respecting:

**LANDS LOCATED AT
MUNICIPAL NOS. 1062 AND 1088 UPPER PARADISE ROAD**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-210 on the 5th day of August 1998 to change the zoning and to establish a special requirements under Section 19B of Zoning By-law No. 6593, for the "D" District, in respect of the lands located at Municipal Nos. 1016, 1062 and 1088 Upper Paradise Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 12th Report of the Planning and Development Committee at its meeting held on the 25th day of May 1999, recommended that Zoning By-law No. 6593, as amended by By-law No. 98-210, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 7 of Zoning By-law No. 98-210 is hereby repealed in its entirety and the following substituted therefor:

"The "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "4" and "5", referred to in sections 1.(a) and (b), are amended to the extent only of the following special requirements that,

- (a) for a dwelling with a detached garage, the following provisions shall apply:
 - (i) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1. a front yard depth of at least 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,
 - (ii) every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling; and,

- (iii) notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres to the porch and 1.0 metre to the porch steps from the front lot line; and,
 - (iv) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling one side yard of at least 0.9 metre and one side yard of at least 2.8 metres shall be provided and maintained; and,
 - (v) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a two family dwelling a side yard of at least 2.8 metres shall be provided and maintained; and,
 - (vi) in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manoeuvring area shall be provided and maintained in the rear yard for each single family dwelling; and,
 - (vii) at least one required parking space shall be provided and maintained in a detached garage, for every single family dwelling and for every dwelling unit of a two family dwelling; and,
 - (viii) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted; and,
- (b) for a dwelling with an attached garage, then the following provisions shall apply:
- (i) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1. a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained; and,
 - 2. a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained; and,
 - (ii) every roofed-over and unenclosed front porch shall have a minimum width of 3.0 metres and a minimum depth of 2.0 metres for every single family dwelling and two family dwelling; and,
 - (iii) notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be setback at least 2.0 metres to the porch and 1.0 metre to the porch steps from the front lot line; and,
 - (iv) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted.”

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in By-law No. 98-210, as amended by section 1 of this by-law.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1405b.

4. Sheet No. W-37D of the District Maps is amended by marking the lands comprised in Blocks "4" and "5", referred to in section 1.(a) and 1.(b) of By-law No. 98-210, and further amended by section 1 of this by-law, S-1405b.

5. In all other respects, By-law No. 98-210, is hereby confirmed, unchanged.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th

day of

June

A.D. 1999



MUNICIPAL CLERK



MAYOR

(1999 12R.P.D.C. 1 May 25
Visplar Holdings Limited (E. LeBerge), Owner
ZAC-99-08

The Corporation of the City of Hamilton

BY-LAW NO. 99- 090

To Establish a Tariff of Planning Fees
And to Repeal By-laws No. 97-084 and 98-284

Respecting:

TARIFF OF PLANNING FEES

WHEREAS Section 69 of the Planning Act, R.S.O. 1990, Chapter P.13 authorizes municipalities to enact a by-law to prescribe a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS By-law No. 97-084, enacted on April 29, 1997, established a Tariff of Planning Fees;

AND WHEREAS the said Tariff of Fees prescribed in By-law No. 97-084 were amended by By-law No. 98-284, enacted on November 10, 1998;

AND WHEREAS the Tariff of Fees have been adjusted in accordance with the Consumer Price Index for Toronto as of November 11, 1998 pursuant to Section 5 of By-law No. 97-084;

AND WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, Chapter M.45 authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided on behalf of, or done by, the municipality;

AND WHEREAS further revisions to the said Tariff of Fees were authorized by the Council of The Corporation of the City of Hamilton, on May 18, 1999, in adopting Section 2 of the 2nd Report of the Joint City/Region Budget Steering Committee;

AND WHEREAS to implement the revised Tariff of Planning Fees it is expedient to repeal prior By-law No. 97-084, as amended, and to adopt the revised Tariff of Fees set out in the Schedule "A" annexed to this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Tariff of Planning Fees in Schedule "A" annexed hereto and forming part of this by-law are hereby approved and adopted.
2. The fees shall be paid at the time of and with the making of an application referred to in Schedule "A".
3. No application shall be deemed to have been made, and no application shall be received, unless the fee is paid in accordance with this by-law.

4. The amounts of the fees in Schedule "A" of this by-law shall be adjusted annually by the percentage change during the preceding year of the Consumer Price Index for Toronto, and the resulting figures shall be rounded off to the nearest five dollar interval.

5. By-law No. 97-084, as amended by By-law No. 98-284, is hereby repealed in its entirety and replaced with this by-law.

6. This by-law comes into force on the 1st day of July 1999.

PASSED this 29th day of

June

A.D. 1999



MUNICIPAL CLERK



MAYOR

SCHEDULE "A"

To By-law No. 99- 090

TARIFF OF PLANNING FEES

- (1) Application to Council by any person to initiate an amendment to the Official Plan under Section 17
 - (i) Phase 1 – Services up to the City Council Report.....\$1,950.00
 - (ii) Phase 2 – Services subsequent to the Council resolution approving the application.....\$1,925.00
- (2) Application to Council by any person to initiate a Zoning By-law under Section 34(1) of the Planning Act
 - (i) A routine application.....\$1,800.00
 - (ii) A complex application
 - (a) Phase 1 – Services up to the City Council Report.....\$2,250.00
 - (b) Phase 2 – Services subsequent to the Council Resolution approving the application.....\$1,200.00
- (3) Application by any person to initiate an application for the purpose of,
 - (i) site plan control under Section 41.....\$3,000.00
 - (ii) revision to site plan control under Section 41.....\$1,100.00
 - (iii) preliminary preview of a site plan.....\$1,100.00
 - (iv) processing a request for site plan approval exemption.....\$ 300.00
- (4) Application for the approval of a Plan of Subdivision under Section 51 of the Planning Act,
 - (i) Simple – where no other approvals are required.....\$ 570.00
 - (ii) Complex – where the Official Plan or Neighbourhood Plan or other approvals are required\$1,020.00

- (5) Application for the approval of a Plan of Condominium,
- (i) for a newly constructed building, where
The Regional Municipality of Hamilton-
Wentworth approves the plan.....\$ 570.00
 - (ii) for a building being converted to a
condominium, to be approved by the
City of Hamilton, a base fee of.....\$2,070.00
Plus \$40.00
per unit to a
maximum
of 40 units
(\$1,600.00)
- (6) Application for a revision to a Plan of
Subdivision or a Plan of Condominium.....\$ 360.00
- (7) Application for an extension of an approved
draft Plan of Subdivision or Plan of Condominium.....\$ 185.00
- (8) (i) Application for an exemption of part lot
control under Section 50(7) of the
Planning Act.....\$ 510.00
- (ii) Application for an extension of Part Lot
Control By-law.....\$ 255.00
- (9) Property reports with respect to the Official Plan,
zoning status, Rental Housing Protection Act,
and Heritage Designation compliance.....\$ 85.00
- (10) Request by the applicant or agent of an Official
Plan Amendment or Re-zoning application to cancel
a public meeting, per public notice recirculation.....\$ 260.00
- (11) Request for a street name change.....\$4,220.00
- (12) Request for the preparation of a Neighbourhood
Plan and modified Neighbourhood Plan.....\$1,140.00
- (13) Request for municipal street numbers.....\$ 85.00

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 091

TO APPOINT A TEMPORARY ACTING CLERK
FOR THE CORPORATION OF THE CITY OF HAMILTON

WHEREAS subsection 73(3) of the Municipal Act, R.S.O. 1990, c. M. 45, as amended, provides that Council may appoint a Temporary Acting Clerk when the office of Clerk is vacant or the Clerk is unable to carry on his duties through illness or otherwise;

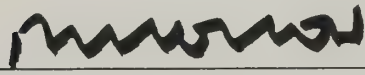
AND WHEREAS it is advisable to appoint persons to exercise the powers and duties of the Clerk of The Corporation of the City of Hamilton at such times as the Clerk is absent;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. Mr. Kevin C. Christenson is appointed as Temporary Acting Clerk in the absence of the Clerk, and shall have all the powers and duties of the Clerk, whenever the Clerk is unable to carry out his duties through illness or for other reasons.
2. Mr. Michael A. Rallo is appointed as Temporary Acting Clerk in the absence of the Clerk and of Mr. Kevin C. Christenson, and shall then have all the powers and duties of the Clerk, whenever the Clerk and Mr. Kevin C. Christenson are unable to carry out their duties through illness or for other reasons.
3. Mr. Darryl J. Lee is appointed as Temporary Acting Clerk in the absence of the Clerk, Mr. Kevin C. Christenson and Mr. Michael A. Rallo, and shall then have all the powers and duties of the Clerk, whenever the Clerk, Mr. Kevin C. Christenson and Mr. Michael A. Rallo are unable to carry out their duties through illness or for other reasons.
4. Notwithstanding paragraphs 1, 2 and 3 of this By-law, the Clerk may designate any one of the three named persons as Temporary Acting Clerk in the absence of the Clerk, and such person shall have all the powers and duties of the Clerk whenever the Clerk is unable to carry out his duties through illness or for other reasons.

5. By-Law No. 98-186 is repealed.

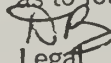
PASSED AND ENACTED this 29th day of June, 1999



Mayor



Municipal Clerk

Approved
as to form

Legal
Services



THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW NO. 99-092

**To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.**

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton passed and enacted By-law No. 98-309 on December 8, 1998 authorizing the temporary borrowing of monies to meet current budget expenditures for the year 1999 pending receipt of current revenues;

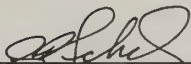
AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter also called the "Corporation") deems it necessary to repeal By-law No. 98-309 and substitute the following therefor;

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby enacts as follows:

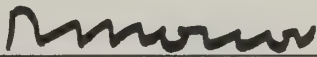
1. (1) The Corporation of the City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1999, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the Corporation.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.
2. (1) Until estimates of revenue of the Corporation for the 1999 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.
- (2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1998 are Five Hundred and Forty Million, Seven Hundred and Twenty Nine Thousand and Two Hundred and Ninety Dollars (\$540,729,290.00).

3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Chairman of the Finance and Administrative Committee of the City Council and failing such person, the City Manager, together with the Treasurer or Temporary Acting Treasurer be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. By-law 98-309 is repealed.
7. This by-law shall come into force and effect on the 30th day of June, 1999, and shall remain in force and effect until December 31, 1999.

PASSED AND ENACTED THIS 29th DAY OF June 1999



MUNICIPAL-CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 99- 093

An Acting Treasurer

WHEREAS Subsection 77(3) of the *Municipal Act* R.S.O. 1990, Chapter M.45, as amended, provides as follows:

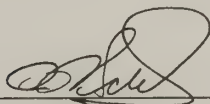
77(3) When the office of Treasurer is vacant or the Treasurer is unable to carry on his or her duties through illness or otherwise, the Council may appoint a temporary Acting Treasurer who shall have all the powers and duties of the Treasurer under this and every other Act.

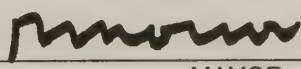
AND WHEREAS it is intended to provide for the continuance of the normal operations of the Finance Department and duties of the Treasurer during the absence of the Treasurer through illness or otherwise, including vacation:

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby enacts:

1. THAT Mr. R. P. Male be appointed as Temporary Acting Treasurer in the absence of the Treasurer, who shall have all the powers and duties of the Treasurer whenever the Treasurer is unable to carry out his duties through illness or other absence from the office.
2. THAT Mr. T. A. Bradbury be appointed as Temporary Acting Treasurer in the absence of the Treasurer and of Mr. R. P. Male, who shall then have all the powers and duties of the Treasurer whenever the Treasurer and Mr. R. P. Male are unable to carry out their duties through illness or other absence from the office.
3. THAT Mr. A. D. Tollis be appointed as Temporary Acting Treasurer in the absence of the Treasurer, Mr. R. P. Male and Mr. T. A. Bradbury, who shall then have all the powers and duties of the Treasurer whenever the Treasurer, Mr. R. P. Male and Mr. T. A. Bradbury are unable to carry out their duties through illness or other absence from the office.
4. THAT notwithstanding paragraphs 1, 2 and 3 of this by-law, the Treasurer may designate any one of the three named persons as Temporary Acting Treasurer in the absence of the Treasurer, who shall have all the powers and duties of the Treasurer whenever the Treasurer is unable to carry out his duties through illness or other absence from the office.
5. THAT By-law 96-010 be repealed.
6. THAT this by-law shall come into force and take effect on the date of its enactment.

PASSED AND ENACTED this 29th day of June, 1999.


MUNICIPAL CLERK


MAYOR

Approved
as to form
Legal
Service



The Corporation of the City of Hamilton

BY-LAW NO. 99- 094

To Appoint:

A COLLECTOR

WHEREAS Subsection 85(1) of the Municipal Act, R.S.O. 1990, Chapter M.45 provides as follows:

"85(1) The council of every municipality shall appoint as many collectors for the municipality as it considers necessary.";

AND WHEREAS it is intended to appoint more than one collector for the purpose of being available for administrative duties of this function.

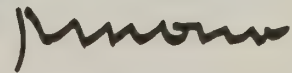
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Allan C. Ross, Treasurer, is hereby appointed and continues as a Collector for The Corporation of the City of Hamilton.
2. T. A. Bradbury, Director of Revenues, is hereby appointed a Collector for The Corporation of the City of Hamilton.
3. By-law 94-086 is hereby repealed.

PASSED this 29th day of June A.D., 1999.



MUNICIPAL CLERK

MAYOR

Approved
as to form

Legal
Services

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99- 095

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

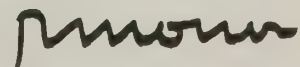
1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.
- (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 29th day of June 1999, A.D.,



MUNICIPAL CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	000 BURLINGTON ST. E. 03 02720 2500 JUNE 18, 1999
2) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	249 HESS ST. N. 02 01250 3490 JUNE 18, 1999
3) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	315 BEACH BLVD. 05 05140 2260 JUNE 18, 1999
4) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	123 PRINCESS ST. 03 02660 3975 JUNE 18, 1999
5) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	70 COVINGTON ST. 05 04810 6390 JUNE 18, 1998
6) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	938 BURLINGTON ST. E. 03 02720 1370 JUNE 18, 1998
7) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	350 WENTWORTH ST. N. 03 02230 3100 JULY 6, 1999
8) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1555 MAIN ST. W. 01 00420 8390 JULY 14, 1999
9) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	66 STANLOW CRES. 08 10310 4770 JULY 14, 1998
10) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	432 MAIN ST. E. #103 03 02030 6063 JULY 14, 1999
11) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	46 KENILWORTH AVE. N. 04 03310 2170 JULY 14, 1999
12) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	11 DEREK DR. 05 05210 6604 JULY 14, 1999
13) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	83 KENILWORTH AVE. N. 04 03420 1030 JULY 14, 1999
14) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	55 SANFORD AVE. S. 03 02315 1280 NOVEMBER 26 1999
15) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	208 KENILWORTH AVE. N. 04 03310 1360 JULY 17, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	219 OTTAWA ST. N. 04 02850 0310 JULY 17, 1999
17)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	727 BARTON ST. E. 03 02655 2120 JULY 17, 1999
18)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 DUFFERIN ST. 01 00610 3300 JULY 17, 1999
19)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 CLINE AVE. N. 01 00520 6590 JULY 17, 1999
20)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	34 ST. MATTHEWS AVE. 03 02175 7360 JULY 20 ,1999
21)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	729 BARTON ST. E. 03 02655 2090 JULY 27, 1999
22)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1257 MAIN ST. E. 04 03125 8000 JULY 27, 1999
23)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1373 MAIN ST. E. 04 03125 7250 JULY 27, 1999
24)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	111 JAMES ST. N. 02 01240 2810 JULY 27, 1999
25)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	32 BARTON ST. E. 02 01565 5610 JULY 27, 1999
26)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	49 AUGUSTA ST. 02 01435 7590 JULY 27, 1999
27)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	569 RENNIE ST. 05 04010 1530 JULY 27, 1999
28)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	220 NEBO RD. 06 07210 6160 AUGUST 7, 1999
29)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	130 STAPLETON AVE. 04 03230 2730 AUGUST 13, 1999
30)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 MEGNA CRT. 08 10630 2156 AUGUST 13, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

32 BRITANNIA AVE.
04 03135 2380
AUGUST 13, 1999

32)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

135 KENILWORTH AVE. N.
04 03130 8880
NOVEMBER 26, 1999

33)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

638 UPPER WENTWORTH ST.
07 08240 9020
AUGUST 13, 1999

34)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

11 ELLIS AVE.
04 03140 5350
AUGUST 13, 1999

35)PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

28 NORFOLK ST. N.
01 00320 4040
AUGUST 14, 1999

BY-LAW NO. 99 - 096

**TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF
THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29th DAY OF JUNE,
1999.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

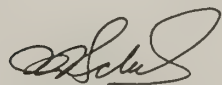
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

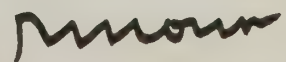
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of June

A.D. 1999



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 097

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

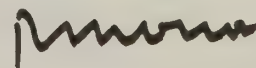
1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Inchbury Southbound Florence"
2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
3. This By-law shall come into force and take effect upon the date of its passing and enactment.

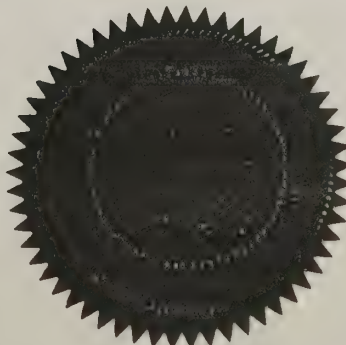
PASSED this 6th day of July 1999.



MUNICIPAL CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 098

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Balmoral	West	commencing 366 feet south of Maple and extending 27 feet southerly therefrom	Anytime
-----------	------	---	---------

Beechwood	South	commencing 289 feet west of Barnesdale and extending 21 feet westerly therefrom	Anytime
-----------	-------	--	---------

Emerald	West	commencing 62 feet south of Birge and extending 20 feet southerly therefrom	Anytime"
---------	------	--	----------

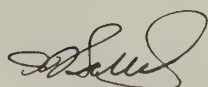
and by deleting therefrom the following items, namely:-

"London	West	commencing at a point 68 feet south of Montclair to a point 19 feet southerly therefrom	Anytime
---------	------	--	---------

London	East	commencing at a point 77 feet south of Montclair to a point 18 feet southerly therefrom	Anytime"
--------	------	--	----------

2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.



MUNICIPAL CLERK




MAYOR

THE CITY OF HAMILTON

BY-LAW NO. 99-099

TO AMMEND BY-LAW NO. 98-110

RESPECTING:

THE CONSTRUCTION, MAINTENANCE, OPERATION, MANAGEMENT
AND REGULATION OF MUNICIPAL PARKING FACILITIES

WHEREAS Sub-section 56 of Section 207 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, confers upon the councils of all municipalities the authority to acquire, establish, lay out and improve land, buildings, and structures where vehicles may be parked, and for erecting buildings or structures for, or in connection with, the parking of vehicles;

AND WHEREAS Sub-section 56 of Section 207 of the Municipal Act, as amended, further provides for the regulation, supervision and governing of the parking of vehicles on land so acquired, established, laid out and improved;

AND WHEREAS Paragraph (6) of Section 191 of the Municipal Act, as amended, confers upon the councils of every corporation the authority to pass by-laws providing for the use by the public of lands of which the corporation is the owner and for the regulation of such use and the protection of such lands;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on the 14th day of April, A.D. 1998, did enact By-law No. 98-110, providing for the construction, maintenance, operation, management and regulation of municipal parking facilities;

AND WHEREAS the Council of the City of Hamilton deems it necessary and appropriate to amend By-law 98-110;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law 98-110, as amended, be further amended by repealing sub-section (a) of Section 1, in its entirety, and by substituting therefor the following sub-section:

"(a) "by-law enforcement officer" includes any person so designated by a By-law of the City of Hamilton, any parking control officer and any officer of the City appointed for the purpose of carrying out the provisions of this By-law"
2. That By-law 98-110, as amended, be further amended by repealing sub-section (m) of Section 1, in its entirety, and by substituting therefor the following sub-section:

"(m) "parking fees" means the fees established from time to time, by the City Council, or the General Manager of Transportation, Operations and Environment, or his or her designate, for the parking of a vehicle in a car park."

That By-law 98-110, as amended, be further amended by striking out the word "parks" in sub-section (1) of Section 6 thereof and by substituting therefor the word "park".

4. That By-law 98-110, as amended, be further amended by adding to Section 6 thereof the following sub-section:

"(6) The General Manager of Transportation, Operations and Environment, or his or her designate, shall establish such parking fees or charges as may be deemed necessary and appropriate for the use of any car park, or any space or area within a car park, and shall adjust or revise such rates from time to time as such adjustment or revision becomes necessary and appropriate.

5. That Schedule 1 of By-law 89-110 is hereby amended by adding thereto the following items, namely:-

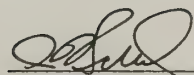
"1	76 John Street North	\$ 1.00 \$ 0.50 \$ 2.50 \$ 40.00
80	22 Bay St. S./119 King St. W.	\$ 1.50 \$ 0.75 \$ 5.00 \$ 69.49"

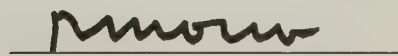
and by deleting therefrom the following item, namely:-

"1	76 John Street North	\$ 1.00 \$ 0.50 \$ 2.00 \$ 40.00
80	22 Bay St. S./119 King St. W.	\$ 1.50 \$ 0.75 \$ 4.00 \$ 69.49"

6. In all other respects, By-law 98-110 and the Schedule attached thereto is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 6th day of July, A.D. 1999


Municipal Clerk


Mayor



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 100

BEING A BYLAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council for the Corporation of the City of Hamilton enacts as follows:

1. That By-law 89-72, as amended, is hereby further amended by adding to Section 33a thereof the following subsection:

"(15) No provision of this section shall be deemed to alter, amend, repeal, rescind, waive or suspend any other provision of this By-law, save and except the provisions of Part IV and the provisions of Section 34, 34a and 34b of Part V."

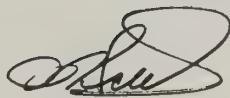
2. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Bay	Both	Barton to Guise	Anytime
Burlington	Both	James to Bay	Anytime
Ferrie	Both	James to the westerly end	Anytime
Macauley	Both	James to Bay	Anytime
MacNab	Both	Barton to Guise	Anytime
Murray	Both	James to Bay	Anytime
Nichol	Both	Ferrie to Picton	Anytime
Park	Both	Barton to Murray	Anytime
Picton	Both	James to the westerly end	Anytime
Simcoe	Both	MacNab to Bay	Anytime
Strachan	Both	James to Bay	Anytime
Stuart	Both	James to Bay	Anytime

Tiffany	Both	Barton to Stuart	Anytime
Wood	Both	James to Bay	Anytime"

3. That in all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed as unchanged.
4. That this By-law shall come into force and take effect at 11:00 p.m. on the 21st day of July, 1999.
5. That **Section 2** of this By-law shall be revoked and shall cease to be in force and effect at 11:00 a.m. on the 26th day of July, 1999.

PASSED this 6th day of July 1999.



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 101

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

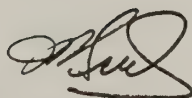
AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

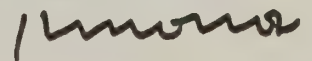
1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Kenilworth	Southbound and Northbound	Trenholme"
		(north intersection)
2. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.
3. This By-law shall come into force and take effect upon the date of its passing and enactment.

PASSED this 6th day of July 1999.



MUNICIPAL CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 99 — 102

To Remove
Land within the "Effort Gardens, Phase 1" Subdivision, Plan 62M-872
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 1 – 16, inclusive, Lots 23 – 28, inclusive, Lots 34 – 42, inclusive, Lots 57 – 68, inclusive, Lots 91 – 117, inclusive, and Block 121, Registered Plan Number 62M-872, in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Department, Community Planning and Development Division.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on July 1, 2000.

PASSED this 6th day of

July

A.D. 1999.

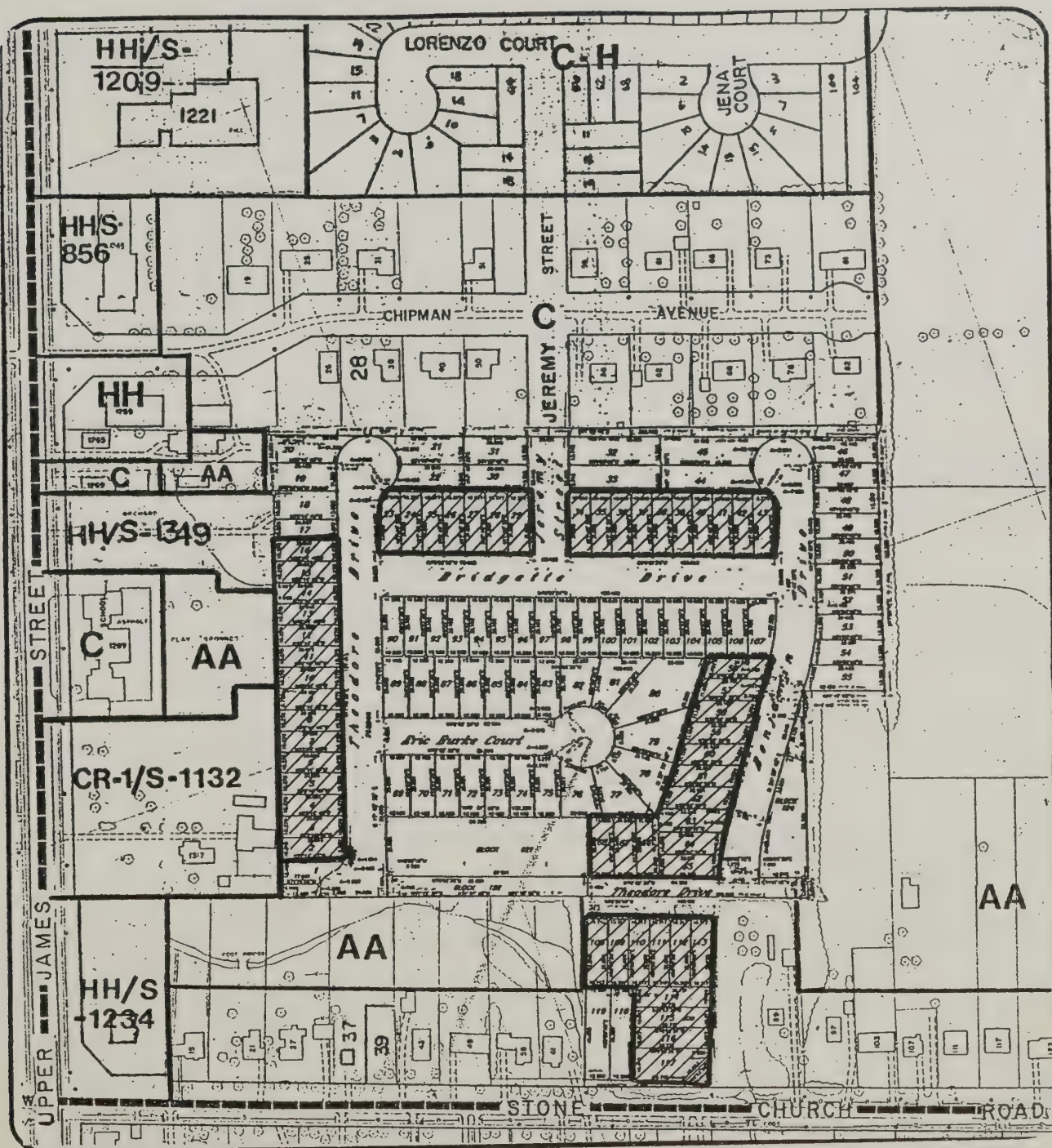


Municipal Clerk

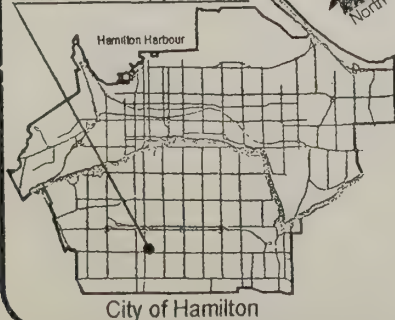


Mayor





Site of the Application



City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Subject Lands

Reference file:

PLC-99-06

Scale

Not to Scale

Date

June, 1999

Technician:

Jsims

APPENDIX 'A'

The Corporation of the City of Hamilton

BY-LAW NO. 99-103

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE SOUTH SIDE OF LOCONDER DRIVE
BETWEEN UPPER GAGE AVENUE AND QUEEN VICTORIA DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-49B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "R-4" – 'H' (Small Lot Single Family Dwelling – Holding) District to "R-4" (Small Lot Single Family Dwelling) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9A.(2)(b) of Zoning By-law No. 6593, a single family dwelling shall provide and maintain the following setbacks:
 - (i) 4.4 metres from the northerly lot line;
 - (ii) 1.2 metres from the southerly lot line;
 - (iii) 6.0 metres from the westerly lot line;
 - (iv) 15.7 metres from the easterly lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

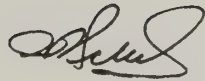
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1428.

5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1428.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July

A.D. 1999



MUNICIPAL CLERK

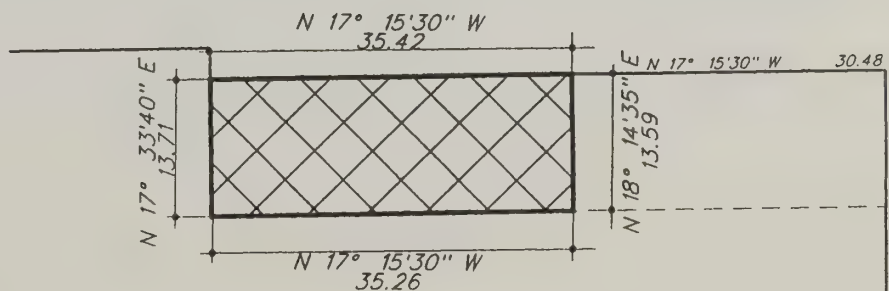


MAYOR



(1999) 13 R.P.D.C. 7, June 29
Hamilton Habitat for Humanity, Owner
ZAC-99-22

LOCONDER DRIVE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-103.....
Passed the 6th day of July, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-103
to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

 "R-4" - 'H' (Small Lot Single Family Dwelling - Holding) District to "R-4" (Small Lot Single Family Dwelling) District, modified

North



Scale
NOT TO SCALE

Date
June, 1999

Reference File No.
ZA-99-22

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99 - 104

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER SHERMAN AVENUE AND
SOUTH OF DALIA AVENUE AT THE REAR OF
MUNICIPAL NO. 1487 UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block "2",

the extent and boundaries of which Block "2" is shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Block "1" and Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, for an interior lot, every lot shall have a width of at least 11.6 metres and an area of at least 350.0 square metres within the district; and,
- (b) notwithstanding Section 9.(4) of Zoning By-law No. 6593, for a corner lot, every lot shall have a width of at least 11.6 metres and an area of at least 335.0 square metres within the district.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in Section 2.

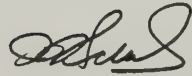
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1428.

5. Sheet No. E-38D of the District Maps is amended by marking the lands referred to in section 2 of this by-law, S- 1428.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July

A.D. 1999

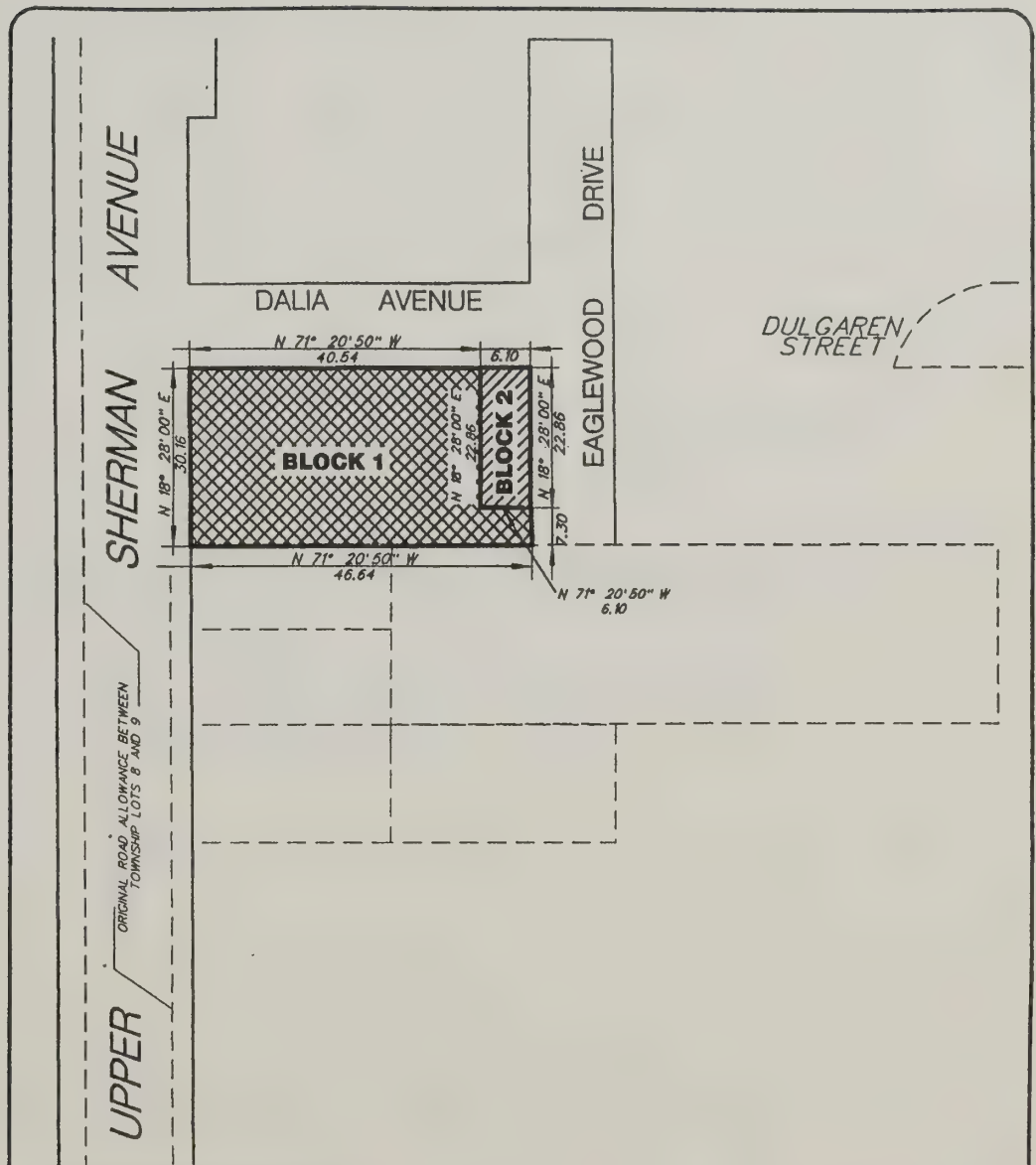


MUNICIPAL CLERK



MAYOR

(1999) 13 R.P.D.C. 3, June 29
Samuel Guerriero, Owner
ZAC-99-13



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-104
Passed the 6th day of July, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-104

to Amend By-Law No. 6593

Planning and Development Department

Legend

Block 1



Modification to the "C" (Urban Protected Residential, etc.) District

Change in zoning from:

Block 2



"AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.)
District. Modified

North



Scale

NOT TO SCALE

Date

June, 1999

Reference File No.

ZA-99-13

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99 - 105

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER SHERMAN AVENUE AND
SOUTH OF DALIA AVENUE AT THE REAR OF
1509 UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps appended to and forming part of By-law No. 6593, is amended,

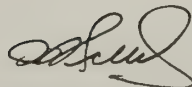
(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July

A.D. 1999



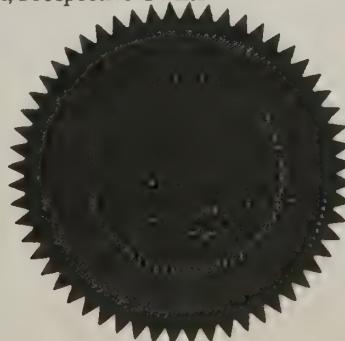
MUNICIPAL CLERK

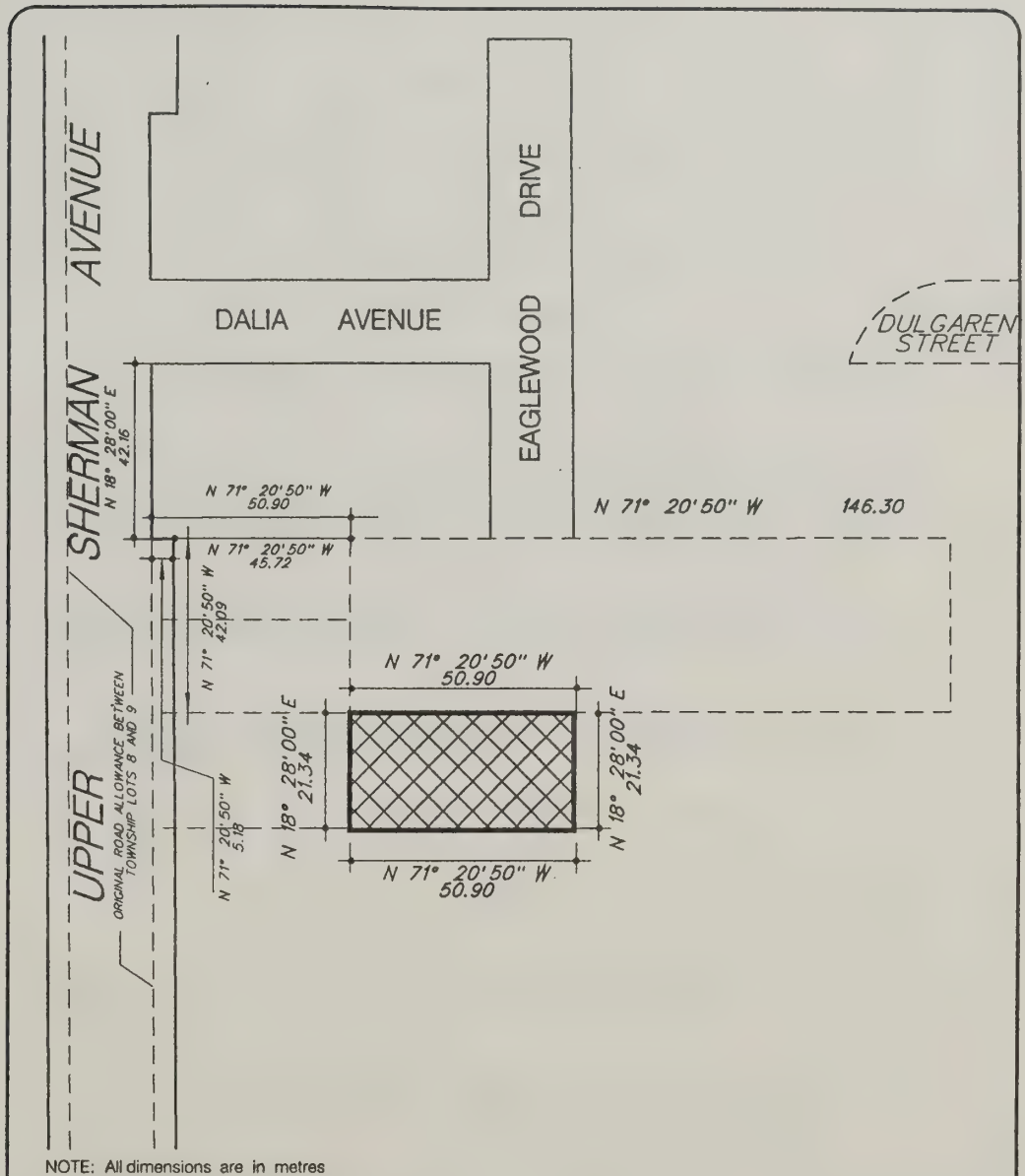


MAYOR

(1999) 13 R.P.D.C. 4, June 29

Harp Homes Building Corporation, Prospective Owner
ZAC-99-12





This is Schedule "A" to By-Law No. 99-105.....
Passed the6.t.h.... day ofJ.u.l.y...., 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 99-105

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to
"C" (Urban Protected Residential, etc.) District

North



Scale
NOT TO SCALE

Date
June, 1999

Reference File No.
ZA-09-12

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 106

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 199 STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

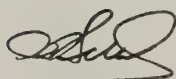
1. Sheet No. W-9C of the District Maps appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

1. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 6th day of July A.D. 1999.



CLERK



MAYOR

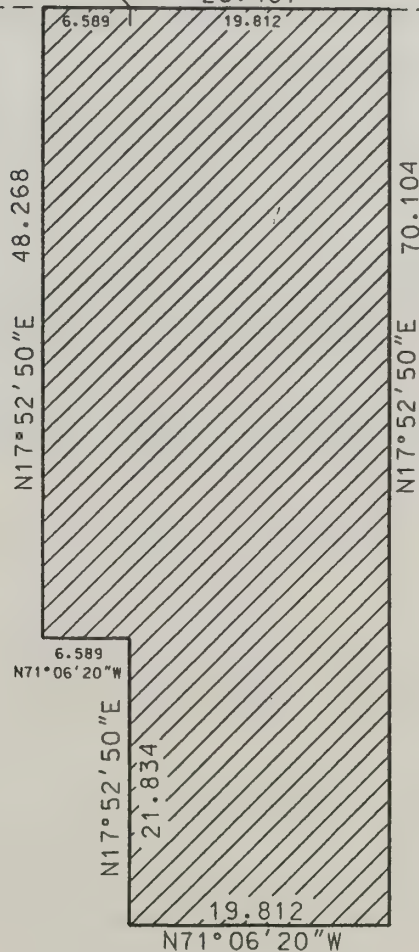
(1999) 13 R.P.D.C. 6, 23 June 1999
Alexander Furmanov, Owner
ZAR-99-11



STONE CHURCH ROAD WEST
ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 7 AND 8

NORTHWESTERLY CORNER OF LOT 16, CONCESSION 8

N71°06'20"W
26.401



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-106...
Passed the 6th day of July, 1999.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 99-106.
to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:



"AA"(Agricultural) District to "C" (Urban Protected Residential, etc.) District,

North 	Scale Not to Scale	Reference File No. ZAR-99-11
	Date June 1999	Drawn By J.S

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-107

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.
- (b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 6 th day of July 1999, A.D.,



MUNICIPAL CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS By-law 99-107.

1) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 RAY ST. S. 01 00940 5160 SEPTEMBER 9, 1999
2) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	219 EAST 13TH 07 08110 7400 NOVEMBER 26, 1999
3) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	130 SIMCOE ST. E. 02 01620 0790 SEPTEMBER 9, 1999
4) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	346 GUELPH ST. 05 03850 8310 SEPTEMBER 9, 1999
5) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	38 MYRTLE AVE. 03 02420 2810 SEPTEMBER 9, 1999
6) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	145 RICE AVE 08 10710 5190 September 9, 1999
7) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	1320 BARTON ST. E. 04 03145 9300 NOVEMBER 26, 1999
8) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	61 JOHN ST. S. 02 01445 6270 JANUARY 5, 2000
9) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	455 MELVIN AVE. 05 04920 5060 SEPTEMBER 9, 1999
10)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	458 EAST 38 TH ST. 07 06320 5690 SEPTEMBER 9, 1999
11)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	180 LIMERIDGE RD. W. #206 08 09840 0512 SEPTEMBER 15, 1999
12)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	7 ROWANWOOD ST. 04 02880 4640 SEPTEMBER 15, 1999
13)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	585 CORBETT ST. 05 05010 4720 SEPTEMBER 15, 1999
14)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	196 SHERMAN AVE. S. 03 02460 7950 NOVEMBER 26 1999
15)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	226 PICTON ST. E. 02 01710 3960 NOVEMBER 26, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

16)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	51 BRISTOL ST. 03 02370 0760 SEPTEMBER 29, 1999
17)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	77 BEACH BLVD. 05 05140 4330 SEPTEMBER 29, 1999
18)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	7, PATRICK ST. 02 01435 2950 NOVEMBER 26, 1999
19)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	44 EVANS ST. 03 02130 7740 SEPTEMBER 29, 1999
20)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	175 HUNTER ST. E. #203 02 01445 0500 September 29 ,1999
21)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	72 BIRCH AVE. 03 02345 4010 SEPTEMBER 29, 1999
22)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #16 03 02310 1177 SEPTEMBER 29, 1999
23)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #3 03 02310 1192 SEPTEMBER 29, 1999
24)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #12 03 02310 1201 SEPTEMBER 29, 1999
25)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	515 MAIN ST. E. #1 03 02310 1171 SEPTEMBER 29, 1999
26)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	16 GIBSON AVE. 003 02350 5050 OCTOBER 6, 1999
27)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	399 MARY ST. 02 01660 4970 OCTOBER 6, 1999
28)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	75 FRANCIS ST. 03 02220 4920 OCTOBER 6, 1999
29)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	192 KENSINGTON AVE. N. 04 02840 6950 OCTOBER 6, 1999
30)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	210 KENILWORTH AVE. N. 04 03310 1330 NOVEMBER 16, 1999

SCHEDULE "A"
EXTENSION AGREEMENTS

31)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	39 STANLEY AVE. 01 00930 3550 NOVEMBER 16, 1999
32)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	161 WENTWORTH ST. N. 03 02180 7130 NOVEMBER 16, 1999
33)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	30 DELAWARE AVE. 03 02420 6170 NOVEMBER 16, 1999
34)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	259 JOHN ST. S. 02 01420 2590 NOVEMBER 16, 1999
35)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	215 WEXFORD AVE. S. 04 03040 7170 NOVEMBER 16, 1999
36)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	207 BEACH BLVD. 05 05140 3400 NOVEMBER 16, 1999
37) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	90 GERTRUDE ST. 04 02880 0700 NOVEMBER 16,1999
38)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	118 STEVEN ST. 03 02140 5390 NOVEMBER 16, 1999
39)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	22 QUINLAN CRT. 06 07010 3145 NOVEMBER 16, 1999
40) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	733 KING ST. E. 03 02325 6230 DECEMBER 12, 1999
41)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	186 TOLTON AVE. 05 03820 3910 JANUARY 19, 2000
42)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	297 WEST 18TH 08 09810 5840 JANUARY 5, 2000
43)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	68 HILLYARD ST. 03 02240 5380 JANUARY 5, 2000
44) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	325 BARTON ST. E. 03 02150 6290 JANUARY 5, 2000
45)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	43 ROWENA CRT. 06 07010 4736 JANUARY 5, 2000
46)PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	188 CANNON ST. E. 02 01820 6200 JANUARY 5, 2000

SCHEDULE "A"
EXTENSION AGREEMENTS

47) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

210 BURLINGTON ST. E.
02 01710 7820
JANUARY 5, 2000

48) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

274 LAKE AVE. N.
05 04810 7780
JANUARY 5, 2000

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99- 108

To Repeal By-law Nos. 86-164 and 94-187:

And to Enact a By-law respecting

**THE EMERGENCY PLAN
FOR THE CORPORATION OF THE CITY OF HAMILTON**

WHEREAS Section 3 of the *Emergency Plans Act*, R.S.O. 1990, Chapter E.9. provides as follows:

- 3(1) The council of a municipality may pass a by-law formulating or providing for the formulation of an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other person will respond to the emergency.
- (2) A by-law under subsection (1) may provide for money associated with the formulation and implementation of the emergency plan.
- (3) The council of a county may with the consent of the councils of the municipalities situated within the county co-ordinate and assist in the formulation of their emergency plans under subsection (1).
- (4) The Lieutenant Governor in Council may designate municipalities that shall have an emergency plan respecting the type of emergency specified in the designation and, where so designated, a municipality shall formulate or provide for the formulation of the emergency plan. 1983, c. 30, s. 3.

AND WHEREAS By-law No. 86-164 was enacted by City Council on May 13th, 1986 to formulate a municipal emergency plan.

AND WHEREAS By-law No. 94-187 was enacted by City Council on November 8th, 1994 to amend By-law No. 86-164 as it related to offences and provided for further administrative provisions and the updating of the Emergency Plan.

AND WHEREAS City Council, in adopting Section 18 of the Recommendations on July 6, 1999 authorized this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. DEFINITIONS:

In this by-law,

- (a) Act means the *Emergency Plans Act*, R.S.O. 1990, Chapter E. 9.;
- (b) Corporation means the City of Hamilton;
- (c) Council means the Council of the City of Hamilton;
- (d) Emergency means a situation or threat of an impending situation, which abnormally affects the lives, health, safety and property of the residents of the City. An emergency by nature or magnitude, require a controlled and co-ordinated response by multiple agencies, (both governmental and/or non-governmental), under the direction of the appropriate municipal officials. An emergency is distinct from routine operations carried out as normal daily operating procedures by municipal agencies, departments or services, such as fire suppression, policing activities, road maintenance, etc.;
- (e) Emergency Control Group means the group comprised of the Mayor, City Manager,

Chiefs, and other Department Heads, as set out in the Emergency Plan, who collectively act as the main decision making authority during City emergencies and is responsible for advising of all action taken with respect to an emergency.

- (f) Emergency Plan means a plan formulated pursuant to this by-law provision of necessary services during an emergency and the employees of the Corporation and other persons to respond to an emergency;

2. HAMILTON EMERGENCY PLAN

- (a) The emergency plan hereto annexed as "Schedule 1" and entitled "City of Hamilton Emergency Plan" shall be the emergency plan of the City of Hamilton.

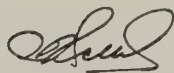
3. DECLARING AN EMERGENCY TO EXIST

- (a) The Mayor (or Acting Mayor) has the legislative authority under the Act to declare an "Emergency to Exist" within the boundaries of the City of Hamilton. The decision to declare an emergency to exist is made by the Mayor, in likely consultation with the members of the Emergency Control Group.
- (b) Upon declaring an emergency to exist, the Mayor with the assistance of the Municipal Clerk shall immediately notify the following:
- (i) members of Council;
 - (ii) the Chairman of the Regional Municipality of Hamilton-Wentworth;
 - (iii) the Solicitor General of Ontario, through the auspices of Emergency Measures Ontario;
 - (iv) local member(s) of Provincial Parliament;
 - (v) local member(s) of Federal Parliament;
 - (vi) elected Heads of Council of the area municipalities;
 - (vii) local media; and
 - (viii) the public

4. ADMINISTRATION

- (a) The Municipal Emergency Plan formulated pursuant to this by-law, with the exception of the portions excluded from public record for security reasons, shall be made available to the public for inspection and copying at the office of the Municipal Clerk during office hours.
- (b) The following by-laws are hereby repealed:
- (i) By-law No. 86-164; and
 - (ii) By-law No. 94-187.
- (c) This by-law shall come into force on the date of its enactment.
- (d) The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to this By-law.

PASSED this 6th day of July 1999, A.D.



MUNICIPAL CLERK



MAYOR

BY-LAW NO. 99 - 109

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 6TH DAY OF JULY, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 6th day of July

A.D. 1999



MUNICIPAL CLERK



MAYOR



BY-LAW NO. 99 - 110

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 7TH DAY OF JULY, 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

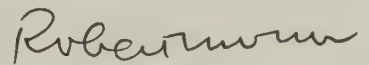
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 7th day of July

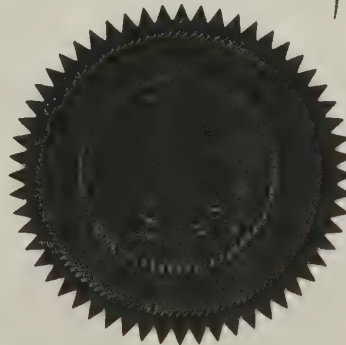
A.D. 1999



MUNICIPAL CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 99 - 111

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF UPPER SHERMAN AVENUE AND
SOUTH OF DULGAREN STREET AT THE REAR OF
102 ELEANOR AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet Nos. E-38C and E-38D of the District Maps appended to and forming part of By-law No. 6593, are amended,

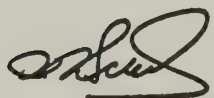
(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

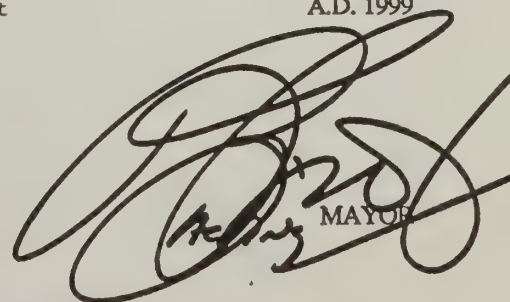
2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of August

A.D. 1999

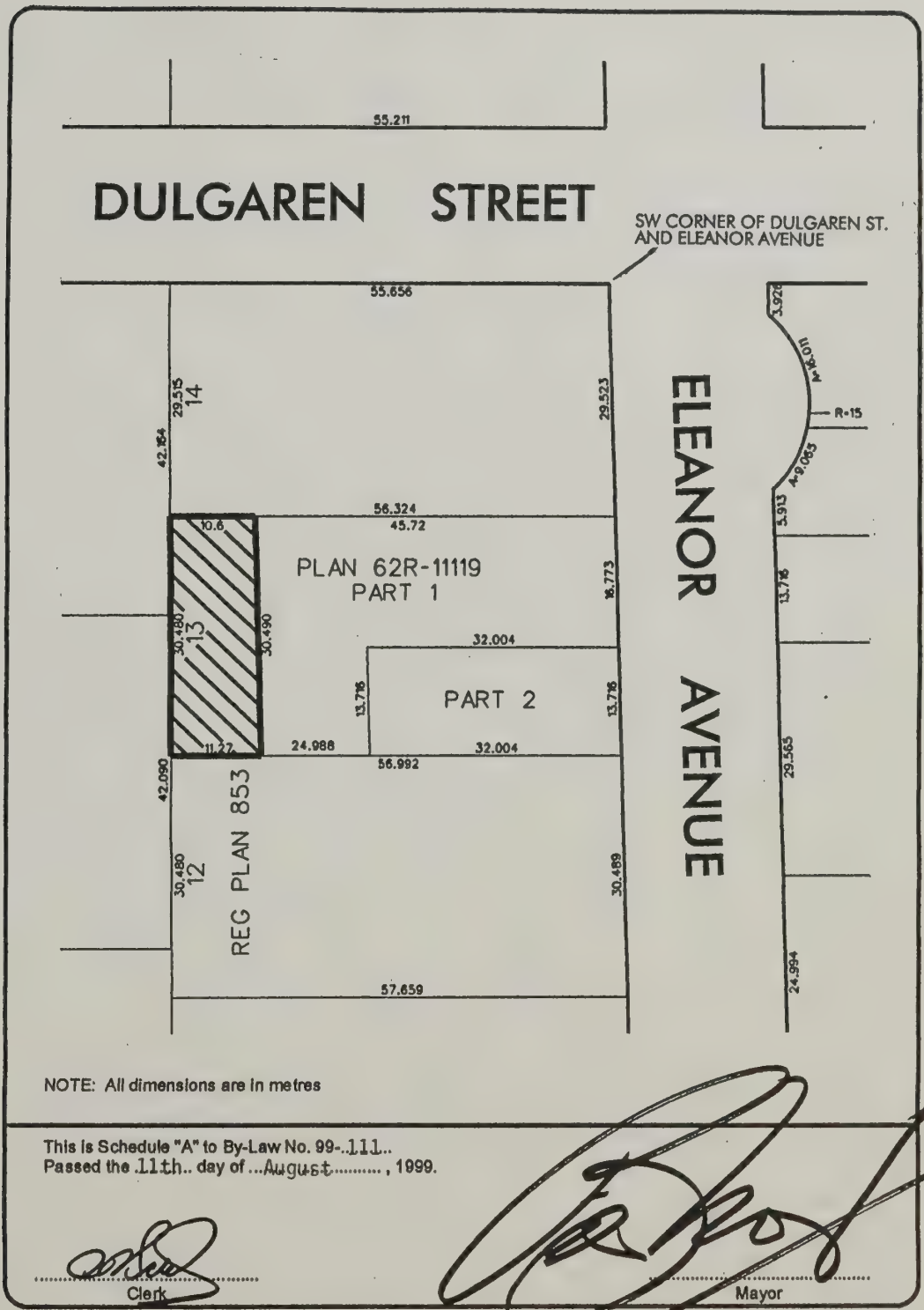


MUNICIPAL CLERK


MAYOR

(1999) 13 R.P.D.C. 5, June 29
F. Mastroianni and A. Mastroianni, Owner
ZAR-99-15





City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 99-111.
to Amend By-Law No. 8593

Community Planning and Development Division

Legend

Modification in zoning:

 From: "AA" (Agricultural) District

To: "C" (Urban Protected Residential, etc.) District

North 	Scale Not to Scale	Reference File No. ZAR-89-15
	Date July 1999	Drawn By M.M.

The Corporation of the City of Hamilton

BY-LAW NO. 99 — 112

To Remove
Land within the "Tiffany, Phase 3" Subdivision, Plan 62M-884
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

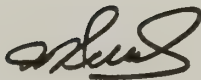
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

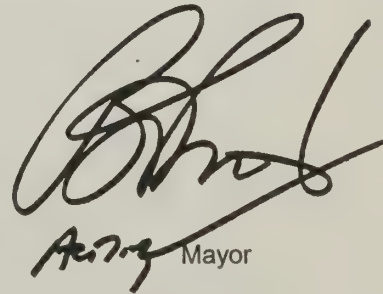
Lots 1 – 12, inclusive and Lots 61 – 71, inclusive, Registered Plan Number 62M-884, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2.
 - (a) This by-law shall come into force and effect on the date of its approval by the Director, Land Development Department, Community Planning and Development Division.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on September 1, 2000.

PASSED this 11th day of August A.D. 1999.



Municipal Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99 — 113

To Remove
Land within the "Bow Valley Estates, Phase 1" Subdivision, Plan 62M-875
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

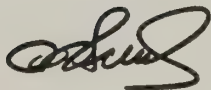
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 1 – 5, inclusive, Lots 7 - 10, inclusive, Lots 12 -13, inclusive, Lots 15 - 19, inclusive and Lots 22 – 32, inclusive, Registered Plan 62M-875 "Bow Valley Estates", in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

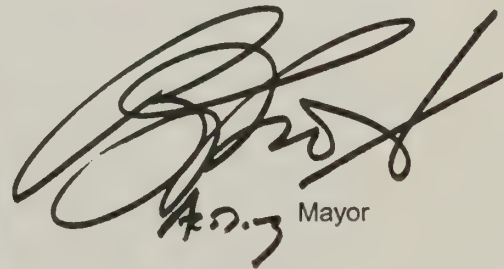
2. (a) This by-law shall come into force and effect on the date of its approval by the Director, Land Development Department, Community Planning and Development Division.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on September 1, 2000.

PASSED this 11th day of August

A.D. 1999.



Municipal Clerk


A.D. 3 Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 99- 114

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1221 LIMERIDGE ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-59A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from “G” (Neighbourhood Shopping Centre, etc.) District to “DE-3” (Multiple Dwellings) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The “DE-3” (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10C. (1) of Zoning By-law No. 6593, only the following uses shall be permitted:

- (i) a “Community and Residential Care Access Centre”;
- (ii) a commercial retail store with a maximum gross floor area of 207.0 square metres;
- (iii) a business identification sign that is wall sign of an occupancy or use, that complies with the following requirements:
 - 1. No sign shall exceed 2.0 metres in height.
 - 2. The total aggregate area of all signs shall not exceed 0.5 square metres for each 0.5 metres of exterior lineal face of the building.
 - 3. Every sign shall be parallel to the wall to which it is affixed.
 - 4. No sign shall be illuminated unless the source of light is steady and suitably shielded to contain the illumination;

- (b) For the purpose of this by-law, a “Community and Residential Care Access Centre” shall mean a building in which residential care and short-term care facilities are provided in conjunction with medical offices and related services, subject to the following provisions:
 - (i) a Residential Care Facility for the accommodation of a maximum of 24 residents of at least 65 years of age;
 - (ii) a Short-Term Care Facility for the accommodation of a maximum of 16 residents of at least 65 years of age;
 - (iii) an accessory dining room which shall only be used in conjunction with the Residential Care and Short-Term Care Facilities; and,
 - (iv) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore;
- (c) notwithstanding Section 10C. (2) of Zoning By-law No. 6593, no building shall exceed one (1) storey in height;
- (d) notwithstanding Section 10C. (3) of Zoning By-law No. 6593, for a “Community and Residential Care Access Centre”, the following yards shall be provided and maintained:
 - (i) a minimum front yard depth of 4.5 metres and an average depth of 5.2 metres;
 - (ii) a minimum easterly side yard depth of 2.0 metres and an average depth of 4.5 metres;
 - (iii) a minimum westerly side yard depth of 3.8 metres; and,
 - (iv) a minimum rear yard depth of 4.57 metres;
- (e) notwithstanding Section 10C. (5) of Zoning By-law No. 6593, for a “Community and Residential Care Access Centre” a maximum gross floor area of 2,449.90 square metres shall be permitted, comprised of 1673.12 square metres maximum gross floor area for the Residential Care and Short Term Care Facilities and 776.78 square metres maximum gross floor area for the medical offices and commercial retail stores, including hallways and common amenity areas;
- (f) For the “Community and Residential Care Access Centre”, an unlighted ground sign having an area of not more than 4.2 square metres and located not less than 2.0 metres from any lot line shall be permitted;
- (g) notwithstanding Section 2.(2)A.(xiiaa) of Zoning By-law No. 6593, a Residential Care Facility shall be permitted within a building containing a “Community and Residential Care Access Centre” comprised of residential and commercial uses;
- (h) notwithstanding Section 2.(2)A.(xiiaaa), a Short-Term Residential Care Facility shall be permitted within a building containing a “Community and Residential Care Access Centre” jointly comprised of residential and commercial uses;

- (i) Section 10C.(7) of Zoning By-law No. 6593 shall not apply to the subject lands;
- (j) Section 18A.(1)(d) of Zoning By-law No. 6593 shall not apply to the subject lands; and,
- (k) Section 18A. (14g) of Zoning By-law No. 6593 shall not apply to the existing parking area.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1427.

5. Sheet No. E-59A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1427.

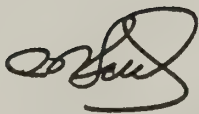
6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th

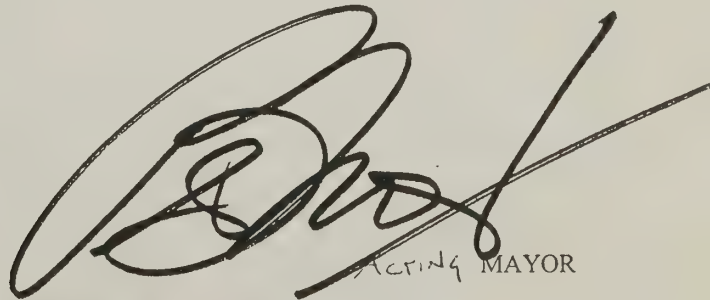
day of

August

A.D. 1999

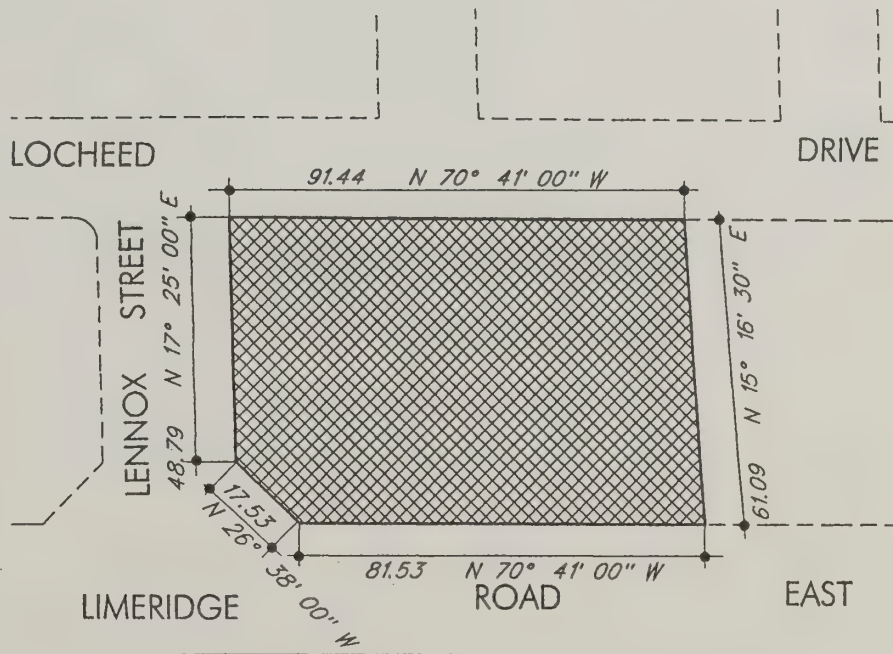


MUNICIPAL CLERK



ACTING MAYOR





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-114
 Passed the 11th day of August, 1999.

[Signature]
 Clerk

[Signature]
 Acting Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 99-114
 to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"G" (Neighbourhood Shopping Centre,
 etc.) District to "DE-3" (Multiple Dwellings)
 District, modified

North



Scale
NOT TO SCALE

Date
July, 1999

Reference File No.
ZAC-99-07

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 99- 115

To Adopt:

Official Plan Amendment No. 163

Respecting:

**LANDS LOCATED AT 39 - 41 DEVONPORT STREET IN THE
STRATHCONA NEIGHBOURHOOD**

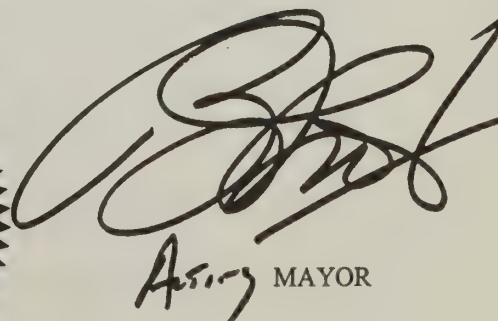
The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 163 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 11th day of August A.D. 1999



MUNICIPAL CLERK



Mayor

Amendment No. 163

to the

City of Hamilton Official Plan

The following text together with Schedule "B" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 163.

Purpose:

The purpose of this Amendment is to establish "Special Policy Area 83" for 39 – 41 Devonport Street, to permit parking in a residential designation.

Location:

The lands affected by this Amendment are known municipally as 39 – 41 Devonport Street, within the Strathcona Neighbourhood.

Basis:

The proposal is to make the existing parking lot a permanent use. The basis for permitting this proposal is as follows:

- 1) The existing parking lot has been in operation since approximately 1980 with no apparent negative impact on the adjacent residential uses;
- 2) The applicant has agreed to maintain the intent of the York Boulevard Design Guidelines, and has submitted a Site Plan Control application which largely reflects this commitment;
- 3) The increase in the number of parking spaces from 19 to 27 is considered minor; and,
- 4) Should the parking lot use cease in future, residential development would still be possible.

Actual Changes:

- 1) Schedule "B" – Special Policy Areas – be revised by adding the subject lands as Special Policy Area 83, as shown on the attached Schedule "B" of this Amendment; and,
- 2) The following new policy be added to Subsection A.2.9.3 – Other Policy Areas as Policy A.2.9.3.78:

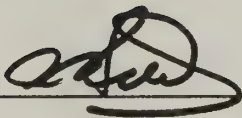
"In addition to the permitted uses set out in Subsection A.2.1 – Residential Uses, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 83, and located at 39 – 41 Devonport Street, a parking lot will be permitted, notwithstanding Policy A.2.2.38 of the Official Plan."

Implementation:

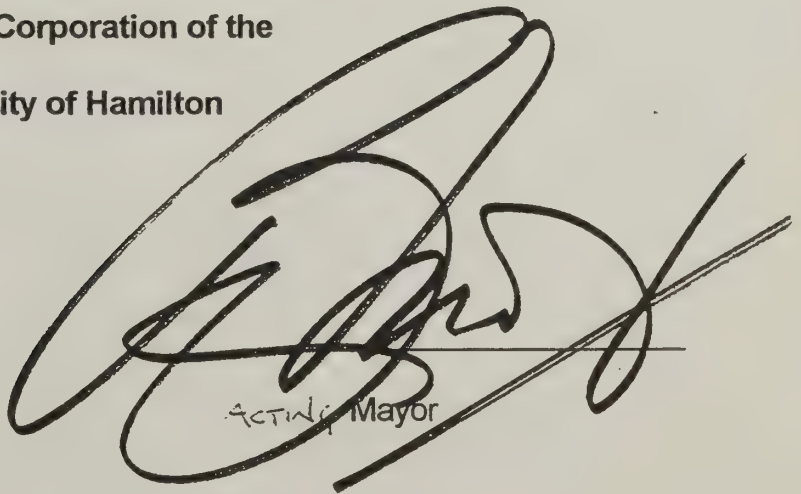
A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 99-115, passed on the 11th day of August, 1999.

The Corporation of the
City of Hamilton

A handwritten signature in black ink, appearing to be 'M. Smith', written over a horizontal line.

Municipal Clerk

A large, stylized handwritten signature in black ink, written over a horizontal line.

Acting Mayor

schedule B amendment no.163

to the
official plan
for the
city of hamilton

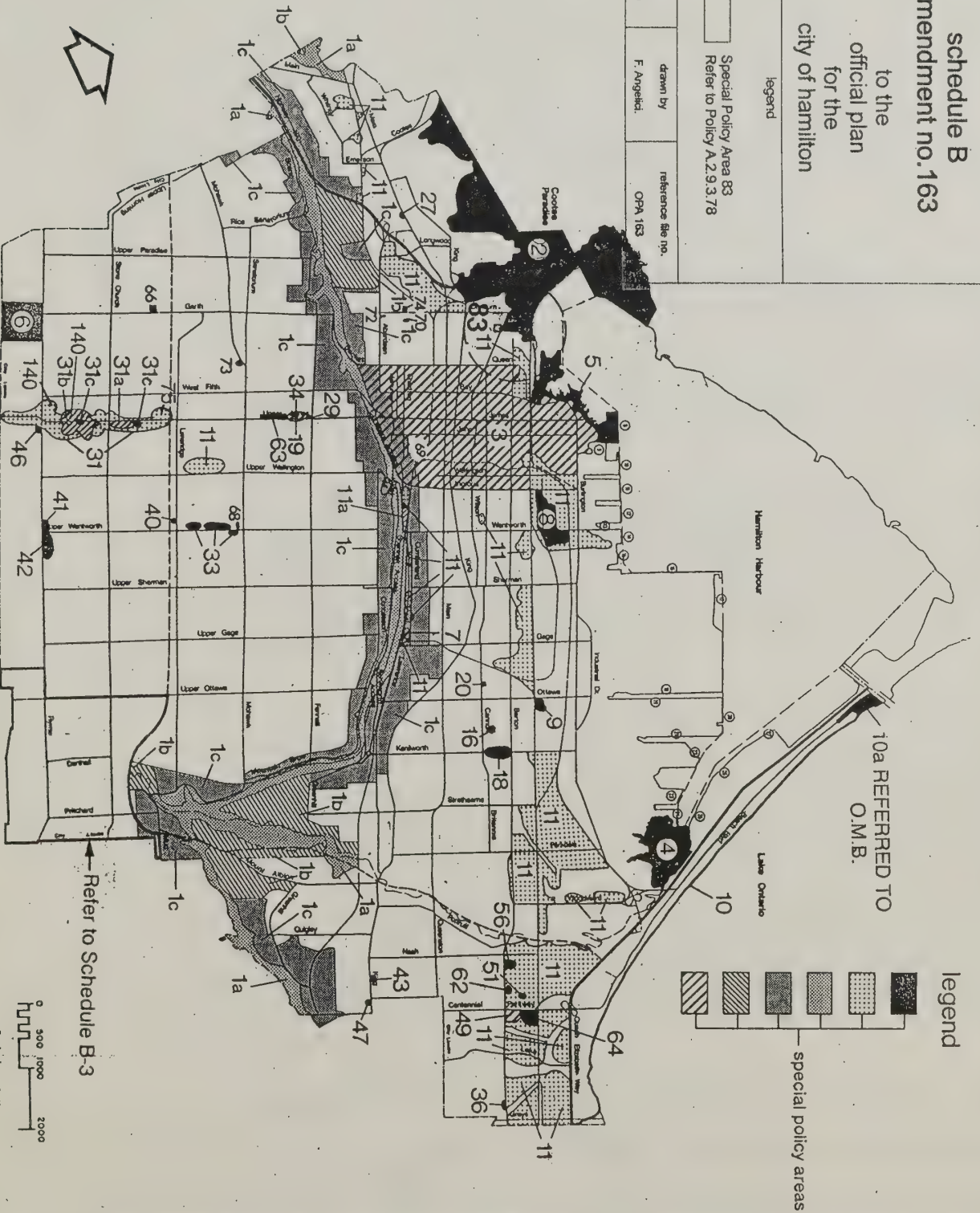
legend

Special Policy Area 83
Refer to Policy A.2.9.3.78

date
AUGUST 99

drawn by
F. Angeles

reference file no.
OPA 163



legend

special policy areas

special policy areas

AREA	REFER TO POLICY	REFER TO AREA POLICY
1(a)	A.2.9.1.	53
1(b)	A.2.9.1.	54
1(c)	A.2.9.1.	55
2	A.2.9.2.	56
3	A.2.9.3.	57
4	A.2.9.3.1.	58
5	A.2.9.3.2.	59
6	A.2.9.3.3.	60
7	A.2.9.3.4.	61
8	A.2.9.3.5.	62
9	A.2.9.3.6.	63
10	A.2.9.3.7.	64
11	A.2.9.3.8.	65
11(a)	A.2.9.3.9.	66
11(b)	A.2.9.3.10.	67
11(c)	A.2.9.3.11.	68
12	A.2.9.3.12.	69
13	A.2.9.3.13.	70
14	A.2.9.3.14.	71
15	A.2.9.3.15.	72
16	A.2.9.3.16.	73
17	A.2.9.3.17.	74
18	A.2.9.3.18.	75
19	A.2.9.3.19.	76
20	A.2.9.3.20.	77
21	A.2.9.3.21.	78
22	A.2.9.3.22.	79
23	A.2.9.3.23.	80
24	A.2.9.3.24.	81
25	A.2.9.3.25.	82
26	A.2.9.3.26.	83
27	A.2.9.3.27.	84
28	A.2.9.3.28.	85
29	A.2.9.3.29.	86
30	A.2.9.3.30.	87
31	A.2.9.3.31.	88
31(a)	A.2.9.3.32.	89
31(b)	A.2.9.3.33.	90
31(c)	A.2.9.3.34.	91
32	A.2.9.3.35.	92
33	A.2.9.3.36.	93
34	A.2.9.3.37.	94
35	A.2.9.3.38.	95
36	A.2.9.3.39.	96
37	A.2.9.3.40.	97
38	A.2.9.3.41.	98
39	A.2.9.3.42.	99
40	A.2.9.3.43.	100
41	A.2.9.3.44.	101
42	A.2.9.3.45.	102
43	A.2.9.3.46.	103
44	A.2.9.3.47.	104
45	A.2.9.3.48.	105
46	A.2.9.3.49.	106
47	A.2.9.3.50.	107
48	A.2.9.3.51.	108
49	A.2.9.3.52.	109
50	A.2.9.3.53.	110
51	A.2.9.3.54.	111

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B

to the official plan
for
the city of Hamilton

The Corporation of the City of Hamilton

BY-LAW NO. 99- 116

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT MUNICIPAL NO. 39-41 Devonport Street and formerly known
Municipally as 573 York Boulevard and 45 and 47 Devonport Street**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 passed on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 80-278 on the 28th day of October 1980, By-law No. 82-225 on the 12th day of October 1982, By-law 90-272 on the 25th day of September 1990 and By-law No. 96-112 on the 25th day June 1996 of which each established special requirements under Section 19B of Zoning By-law No. 6593 for the "L-mr-2" District, for a temporary use of the land for the purpose of vehicle parking in respect to 39-41 Devonport Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section of the 15th Report of the Planning and Development Committee at its meeting held on the 11th day of August 1999, recommended that Zoning By-law No. 6593, as amended by By-law Nos. 80-278, 82-225, 90-272 and 96-112, rezone Block "1" and Block "2" and to establish special requirements under Section 19B of Zoning By-law 6593 in respect to the above noted-captioned lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 163, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Section 4, 17 and 21 of the Planning Act , R.S.O 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enact as follows:

1. That Section 17B(6)(a)(iii) of Zoning By-law No. 6593 shall not apply to the subject lands.
2. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "L-mr-2" (Planned Development – Multiple Residential) District, modified to "G-3" (Public Parking Lots) District, modified the lands comprised in Block "1", and,
 - (b) by changing from "L-mr-2" (Planned Development – Multiple Residential) District to "G-3" (Public Parking Lots) District, the lands comprised in Block "2",

3. The "G-3" (Public Parking Lots) District regulations, as contained in Section 13C of Zoning By-law No. 6593, applicable to the lands comprised in Block "1", are amended to the extent only of the special requirements that:

- (a) Section 13C.(4)(ii) of Zoning By-law No. 6593 shall not apply to the southerly lot line;
- (b) notwithstanding Section 18A.(1)(f) and TABLE 6, a manoeuvring space aisle width of not less than 5.0 m shall be provided and maintained; and,
- (c) notwithstanding Section 18A. (7), a parking space width of not less than 2.6 m shall be provided and maintained;

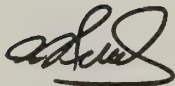
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-3" District provisions, subject to the special requirements referred to in section 3 of this by-law.

5. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-717d.

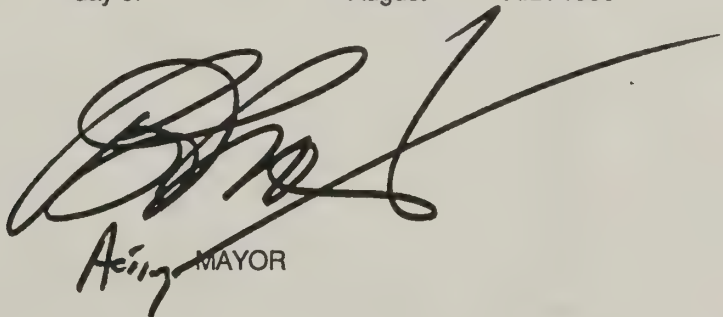
6. Sheet No. W-11 of the District Maps is amended by marking the lands referred to in Section 2(a) of this by-law, S-717d.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of August A.D. 1999



MUNICIPAL CLERK

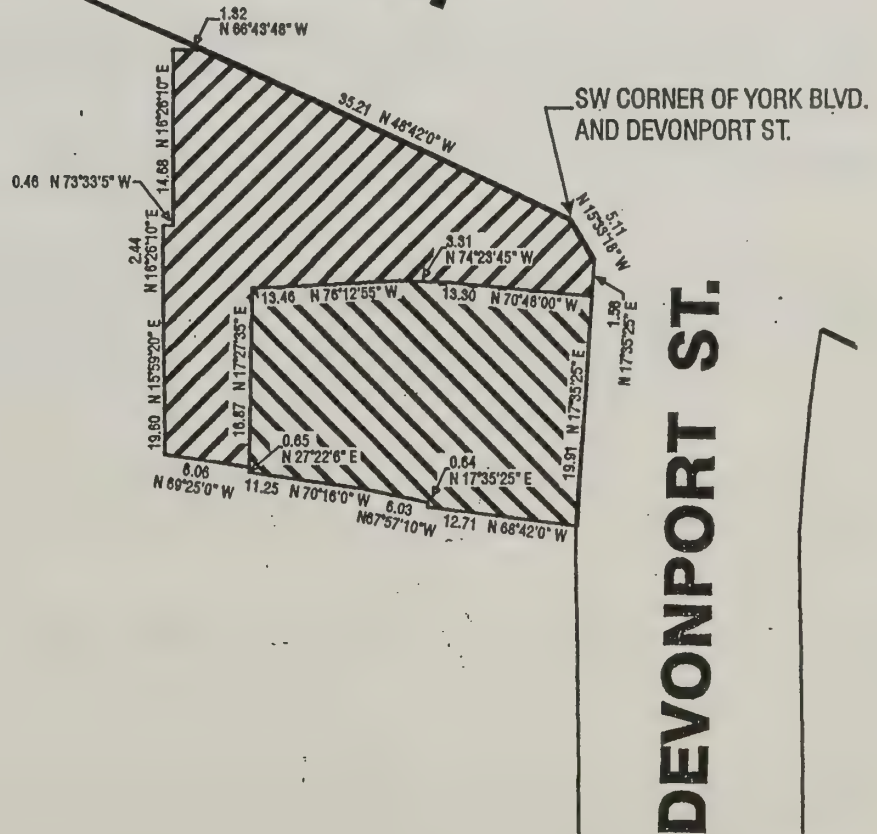


Mayor

(1999) 15th R.P.D.C. 7, August 11
Hamilton-Burlington & District Real Estate Board, Owner
ZAC-99-23



YORK BLVD.



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 99-116.,
Passed the 11th day of August, 1999.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 99-116.
to Amend By-Law No. 6593

Community Planning and Development Division

Legend



Change in zoning from:
"L-mr-2" (Planned Development -
Multiple Residential) District Modified,
to "G-3" (Public Parking Lots) District,
Modified



"L-mr-2" (Planned Development -
Multiple Residential) District to "G-3"
(Public Parking Lots) District



Scale
Not to Scale
Date
July 1999

Reference File No.
ZAC-99-23
Drawn By
M.M.

The Corporation of the City of Hamilton

BY-LAW NO. 99-117

To Amend

Zoning By-law No. 97-015

Respecting:

TEXT AMENDMENT TO TEMPORARILY ELIMINATE PARKING AND LOADING REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT IN THE DOWNTOWN

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-015 on the 28th day of January 1997;

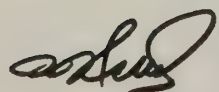
AND WHEREAS By-law No. 97-015 temporarily eliminated the parking and loading requirements for residential development for the lands in the downtown, more specifically lands bounded by Cannon Street, Queen Street, Hunter Street, Walnut Street, Jackson Street, Ferguson Avenue, Main Street, Wellington Street, Rebecca Street and Mary Street, for a three year time period which expires on September 1, 1999.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

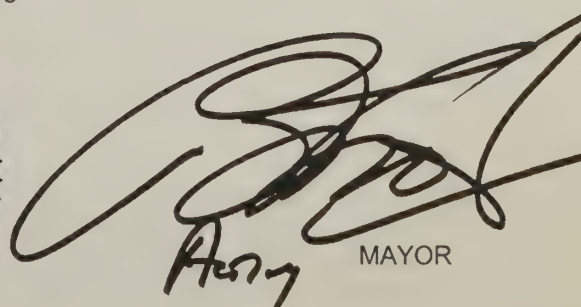
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2. of By-law No. 97-015, is hereby amended by deleting the words November 1, 1996 and September 1, 1999 at the end of the clause and substituting therefor the dates September 1, 1999 and September 1, 2002 respectively.
2. In all other respects, By-law No. 97-015, as amended, is hereby confirmed, unchanged.
3. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of August 1999



MUNICIPAL CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 99 - 118

Being a by-law respecting development charges
on lands
within The City of Hamilton

WHEREAS the Development Charges Act, 1997, S.O.1997, Chapter 27 (hereinafter may be referred to as the "Act") authorizes municipalities to pass a by-law for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which this by-law applies.

AND WHEREAS The Corporation of the City of Hamilton, as required by Section 10 of the Act, has undertaken and completed a development charge background study regarding the anticipated amount, type and location of development; the increase in needs for services; estimated capital costs to provide for such increased needs, including the long term capital and operating costs for capital infrastructure required for the services.

AND WHEREAS as required by Section 11 of the Act this by-law is being enacted within one year of the July 1999 completion of the said development charge background study, titled "Development Charges Background Study, City of Hamilton" prepared by Marshall, Macklin Monaghan Limited;

AND WHEREAS in advance of passing this by-law the Council of The Corporation of the City of Hamilton has given notice of and held a public meeting on 1999 August 11 in accordance with Section 12(1)(b) of the Development Charges Act, 1997 regarding its proposals for this development charges by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Finance and Administration Committee, has heard all persons who applied to be heard no matter whether in objection to, or in support of, the said by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, at its meeting of 1999 August 11, has adopted the recommendations for development charges policies and financial policies recommended by the General Manager of Finance to be included in this by-law;

NOW THEREFORE, the Council of The Corporation of the City of Hamilton enacts as follows:

Definitions

1. In this by-law,

- (a) "agricultural land" means land which is zoned for agricultural or farming uses in the zoning by-law of the City of Hamilton;
- (b) "apartment" means a building consisting of more than one dwelling unit with a private bathroom and kitchen facilities in each unit and which is not a single detached dwelling, a semi-detached dwelling, a farm help house, a multiple unit dwelling, a mobile home or a temporary residential structure;

- (c) "area municipality" means a city, town or township defined in Section 1 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1990, Chapter R.12.
- (d) "bedroom" includes any room which can be used as sleeping quarters but does not include a kitchen, bathroom, living room or dining room;
- (e) "benefiting area" means an area defined by a map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;
- (f) "capital cost" includes the capital costs defined in Section 5(3) of the Act.
- (g) "commercial" means a building used for, or in connection with the buying or selling of commodities, or both, or supplying of services or operating as a business office, including without limiting the generality of the foregoing, a warehouse with a sales outlet, which warehouse functions primarily as an auto oriented destination for a large market area; and commercial also includes "retail" as defined herein. Commercial does not include "industrial" as defined herein;
- (g-1) "City" means The Corporation of the City of Hamilton;
- (h) "Council" means the City Council of The Corporation of the City of Hamilton constituted in accordance with the Municipal Act;
- (i) "development" includes redevelopment;
- (j) "development charge or development charges" means the charges imposed by this by-law against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which this by-law applies.
- (k) "farm help house", means a residential building constructed on a farm and not attached to any other building or structure, with sleeping, cooking, living and sanitary facilities, and used for seasonal, interim or occasional residential uses by farm labourers;
- (l) "grade" means the average level of proposed or finished ground adjoining, at all exterior walls, a building containing one or more dwelling units, a non-residential building or structure or a building or structure with both residential and non-residential uses;
- (m) "gross floor area" means the total area of all floors above grade of a building containing one or more dwelling units or a non-residential building or structure of a building or structure with both residential and non-residential uses measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit or non-residential building or structure from another dwelling unit or non-residential building or structure or other portion of a building;
- (n) "growth-related net capital cost" means the portion of the net capital cost of services that is reasonably attributable to the need for such net capital cost that results or will result from development in all or a defined part of the City of Hamilton;
- (o) "industrial" means a building used for, or in connection with,
 - i) manufacturing, producing, processing, storing or distributing something;

- ii) research or development in connection with manufacturing, producing or processing, something;
 - iii) retail sales by a manufacturer, producer or processor of something they manufactured, produced or processed, if the retail sales are at the site which the manufacturing, production or processing takes place;
 - iv) office or administrative purposes, if they are,
 - aa) carried out with respect to manufacturing, producing, processing, storage or distributing of something, and,
 - bb) in or attached to the building or structure used for that manufacturing, producing or processing, storage or distribution;
- (p) "institutional" means a building used for, or in connection with religious, charitable, cultural, educational, governmental, health or welfare purposes and shall include but not be limited to, public and private non-commercial schools, nursery schools, day care facilities, nursing homes, residential care facilities, boarding and lodging houses;
- (q) "local board" means a school board, public utility commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, board or local authority established or exercising any power of authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City or of another area municipality or of The Regional Municipality of Hamilton-Wentworth;
- (r) "manufactured home" means a building recognized by the Building Code as a "Manufactured Home" in accordance with the standard for "manufactured homes" CSA A-277, "Procedure for Certification of Factory Built houses";
- (s) "mixed use development" means a building or structure in which there are or will be both residential and non-residential uses, but does not include a hotel, motel, resort development, guest house, boarding house, nursing home, retirement living multiple unit dwelling or home for the aged;
- (t) "mobile home", means a building recognized the Building Code as a "Mobile Home" in accordance with the standard for "mobile homes" in CAN/CSA-Z240.2.1 "Structural requirements for Mobile Homes";
- (u) "multiple unit dwelling" means a residential building consisting of three or more dwelling units attached by a vertical wall or walls and not abutting any dwelling units along a horizontal plane;
- (v) "net capital cost", means the capital cost less capital grants, subsidies and other contributions made to the City or that the Council of the City anticipates will be made, including conveyances or payments under Sections 42, 51 and 53 of the Planning Act, R.S.O 1990, Chapter P.13 in respect of the capital cost;
- (w) "non-residential" means a building used for or in connection with other than residential use, and, without limiting the generality of the foregoing includes, commercial, industrial, institutional and retail buildings;
- (x) "place of worship", means a building or structure which is or would be classified as exempt from taxation for realty taxes in accordance with the exemption for "...every place of worship and land used in connection therewith and every churchyard, cemetery or burying ground, " in the

Assessment Act, R.S.O. 1990, Chapter A.31;

- (y) "Region" means the body corporate continued as a municipality under the name "The Regional Municipality of Hamilton-Wentworth" in Section 4 of the Regional Municipality of Hamilton-Wentworth Act;
- (z) "residential" includes:
 - (i) single detached dwellings,
 - (ii) individual dwelling units in semi-detached dwellings,
 - (iii) farm help houses,
 - (iv) individual mobile homes,
 - (v) individual dwelling units in multiple unit dwellings,
 - (vi) individual apartment dwelling units,
 - (viii) temporary residential structures, and
 - (ix) semi-detached dwellings, multiple unit dwellings and apartments in buildings or structures which are not exclusively used for residential purposes.
- (aa) "retail" means a building used for, or in connection with the offering or sale of goods, wares, merchandise, substances, articles or things directly to the consumer;
- (bb) "semi-detached dwelling" means a residential building consisting of two dwelling units attached by a vertical wall or walls;
- (cc) "services", means services designated in Schedule "A" of this by-law or designated in a front-ending agreement;
- (dd) "single detached dwelling" means a residential building containing one dwelling unit and not attached to another building or structure, whether or not the sole single detached dwelling is situated on a single lot and includes a manufactured home as defined in this by-law; and
- (ee) "temporary residential structure" means a residential building containing one dwelling unit and not attached to another building or structure, and constructed on a lot of record on which another single detached dwelling or semi-detached dwelling is situate.

Scope of By-law

- 2. This by-law applies to all of the land within The City of Hamilton, except for the area thereof within that part of the City of Hamilton bounded by Queen Street, Cannon Street, Victoria Avenue and Hunter Street.

Development Charges

- 3. The development of land, buildings or structures for residential and non-residential uses have required or will require the provision, enlargement, expansion of the services referenced in Schedule "A".
- 4. The development of land is subject to a development charge where the development requires the following:
 - (a) the passing of a zoning by-law or an amendment thereto under Section 34 of the Planning Act,
 - (b) the approval of a minor variance under Section 45 of the Planning Act,
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies,

- (d) the approval of a plan of subdivision under Section 51 of the Planning Act,
- (e) a consent under Section 53 of the Planning Act,
- (f) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chapter 26, or
- (g) the issuing of a permit under the Building Code Act, 1992, S.O. 1992, Chapter 23, in relation to a building or structure.

Calculation of Development Charges

- 5. The development charge with respect to the development of any land, buildings and structures is, subject to the other provisions of this by-law, calculated as follows:
 - (a) in the case of residential development, or the residential portion of a mixed-use development, based upon the number and type of dwelling units;
 - (b) in the case of non-residential development or the non-residential portion of a mixed-use development, based upon the gross floor area of such development.
- 6. (a) Subject to the provisions of this by-law,

Development Charge Rates

(i) the development charges for residential and non-residential development of land are to be calculated and collected in accordance with the base rates set out in Schedule "B" in respect of the services set out in Schedule "A".

Special Area Development Charge Rates

(ii) residential and non-residential development within that portion of the City comprised of the forty-six Neighbourhoods listed in clause (iii) below and illustrated Schedule "C" attached hereto, are also subject to a Special Area Development Charge for Engineering Services. The Special Area Development Charge for Engineering Services is to be calculated in accordance with the Special Area Development Charge rates that are also set out in the said Schedule "B".

Special Area Development Charge Area

(iii) the forty-six Neighbourhoods subject to the Special Area Development Charge discussed in clause (ii) above, are taken from the Map of Neighbourhoods prepared by and used by the Planning Department. Those forty-six Neighbourhoods subject to the Special Area Development Charge are identified on the said Map with the following names:

1. Albion Falls Neighbourhood
2. Allison Neighbourhood
3. Barnstown Neighbourhood
4. Berrisfield Neighbourhood
5. Broughton East Neighbourhood
6. Broughton West Neighbourhood
7. Bruleville Neighbourhood
8. Butler Neighbourhood
9. Carpenter Neighbourhood
10. Chappel East Neighbourhood
11. Chappel West Neighbourhood
12. Crerar Neighbourhood
13. Eleanor Neighbourhood

14. Falkirk East Neighbourhood
15. Falkirk West Neighbourhood
16. Fessenden Neighbourhood
17. Gershome Neighbourhood
18. Gilbert Neighbourhood
19. Gilkson Neighbourhood
20. Greenford Neighbourhood
21. Greeningdon Neighbourhood
22. Gourley Neighbourhood
23. Gurnett Neighbourhood
24. Hannon North Neighbourhood
25. Hannon South Neighbourhood
26. Hannon West Neighbourhood
27. Jerome Neighbourhood
28. Kennedy East Neighbourhood
29. Kennedy West Neighbourhood
30. Kernighan Neighbourhood
31. Lawfield Neighbourhood
32. Lisgar Neighbourhood
33. Mewburn Neighbourhood
34. Mountview Neighbourhood
35. Quinndale Neighbourhood
36. Randall Neighbourhood
37. Rolston Neighbourhood
38. Rushdale Neighbourhood
39. Ryckmans Neighbourhood
40. Rymal Neighbourhood
41. Sheldon Neighbourhood
42. Templemead Neighbourhood
43. Thorner Neighbourhood
44. Trenholme Neighbourhood
45. Upper King's Forest Neighbourhood
46. Yeoville Neighbourhood

Mixed-Use Development

(b) Where a development has both residential and non-residential uses, development charges will be assessed against both uses, to the extent of their respective uses of a building or structure, and as though the uses were separate.

Redevelopment

(c) Development charges payable in a redevelopment shall be calculated by reducing the charges payable by the maximum number of former residential units or by the maximum non-residential former gross floor area (as the case may be) which had been on the same property on or after 1990 June 19, but has since been demolished. Any such reduction shall not produce a refund.

Change of Use

(d-1) Where an existing non-residential building or structure is converted in whole or in part to residential uses, the residential development charge payable for the dwelling units created shall be reduced by an amount equal to the non-residential rate per square foot established under this by-law and set out in Schedule "B", applied against the gross floor area so converted to dwelling units, but any such reduction shall not produce a refund.

(d-2) Where an existing residential building is converted in whole or in part to non-residential uses, the non-residential development charge payable for the gross floor area so converted shall be reduced by an amount equal to the

residential development charge established under this by-law and set out in Schedule "B" applied for the dwelling unit(s) so converted, and if a dwelling unit is only partially converted the reduction shall be in proportion to the extent of the conversion, but any such reduction shall not produce a refund.

(d-3) Development charges assessable for the conversion of uses in a mixed-use building or structure shall be determined in accordance with sub-sections (d-1) and (d-2) of this by-law, as applicable.

Exemptions from Development Charges

7. As provided for in Section 2(3) of the Act and Ontario Regulation 82/98, the following are not subject to development charges under the Act and this by-law if the only effect of an action referred to in Section 4 of this by-law is to:
 - (a) permit the enlargement of an existing dwelling unit; or,
 - (b) permit the creation of up to two additional dwelling units, as prescribed, subject to the prescribed restrictions, in prescribed classes of existing residential buildings. The said prescribed matters from Ontario Regulation 82/98 are attached as Schedule "D".
8. Notwithstanding any other provision of this by-law, the following types of development are exempted from any development charges under this by-law, including the Special Area Development Charges:
 - (a) non-residential industrial development;
 - (b) a parking garage exclusively devoted to parking, including the construction of an outdoor parking lot at grade, or the construction of a parking garage above or below grade;
 - (c) development that is or would be classified under the Assessment Act as exempt from taxation for realty taxes as a place of worship;
 - (d) any development undertaken by:
 - (i) any board within the meaning of subsection 1(1) of the Education Act, R.S.O. 1990, Chapter E.2,
 - (ii) The Corporation of the City of Hamilton or a local board thereof, including Hamilton Entertainment and Convention Facilities Inc.
 - (iii) any other area municipality or a local board thereof, and
 - (iv) The Regional Municipality of Hamilton-Wentworth or a local board thereof;
 - (e) non-residential development on agricultural land, other than retail, commercial or institutional development of such land.
9. Intentionally not used in this by-law.

Collection of Development Charges

10. (a) Subject to the provisions of this section, development charges are payable at the time a building permit is issued by the City.

Prepayment or Deferral Agreements

- (b) Council may authorize, in accordance with Section 27 of the Act, an agreement with a person to permit, on such terms as Council may require, the payment of a development charge before or after it is otherwise payable under this by-law.

Services in lieu Agreements

(c) Council may agree, in accordance with Sections 38, 39, 40 and 41 of the Act, to allow a person to perform work that relates to a service to which this development charge by-law relates, in return for a credit towards the development charges payable by the said person, upon terms specified by Council in its agreement with the person. No such credit shall exceed the total development charges payable by the person.

Front-Ending Agreements

(d) Council may authorize a front-ending agreement in accordance with the provisions of Part III of the Act, upon such terms as Council may require, in respect of the development of land.

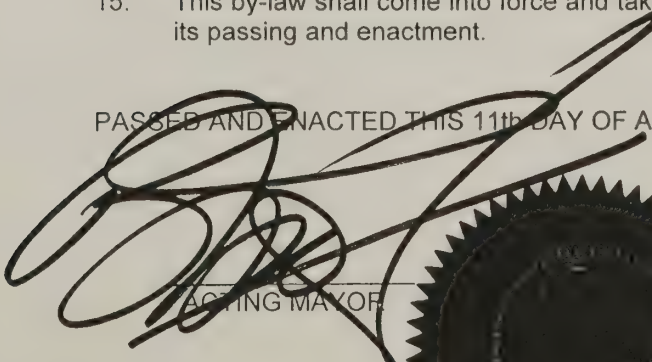
Existing Agreements

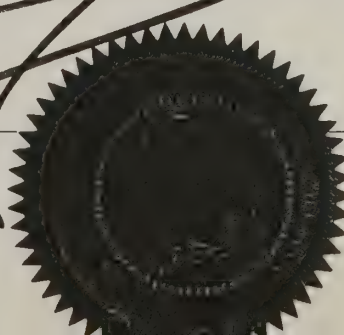
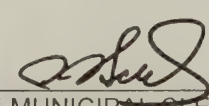
(e) Development Charges payable under this by-law shall be reduced by the amount of charges paid by an owner or former owner of the property under the terms of an agreement executed prior to 1990 March 27 with the City concerning a subdivision, a condominium, a consent or minor variance. Such amount shall be adjusted with interest calculated at the Bank of Canada rate, updated quarterly.

Administration of By-law

11. This by-law shall be administered by the Finance Department of The Corporation of the City of Hamilton and The Regional Municipality of Hamilton-Wentworth.
12. As authorized in paragraph ten of Section 5(1) of the Act, the development charges provided for in this by-law shall be adjusted annually by the percentage change during the preceding year, as recorded in the Statistics Canada Quarterly, Construction Price Statistics, Catalogue number 62-007. This adjustment shall take place as follows:
 - (a) the initial adjustment shall be one year from the date of passage of this by-law, and
 - (b) thereafter, adjustment shall be made each year on the anniversary of the date of passage of this by-law.
13. The General Manager of Finance shall, in each year prior to May 1st, commencing May 1, 2000 for the 1999 year, furnish to Council a statement in respect of the separate reserve funds required by the Act for each service to which this by-law relates, for the prior year, containing the information set out in Section 43 of the Act and Section 12 of Ontario Regulation 82/98.
14. (a) This may be referred to as the "1999 City of Hamilton Development Charges By-law".
 (b) By-law 95-176, as amended, is repealed.
15. This by-law shall come into force and take effect on the day following the date of its passing and enactment.

PASSED AND ENACTED THIS 11th DAY OF AUGUST 1999.

 ACTING MAYOR

  MUNICIPAL CLERK

List of Schedules attached to and forming part of By-law

- Schedule "A" - List of City Services
Schedule "B" - Development Charges and Special Area Development Charges
Schedule "C" - Neighbourhood Map illustrating Special Area Development Charge Area
Schedule "D" - Table from O.Reg. 82/98, referred to in Section 7 of by-law

SCHEDULE "A"

Services for which Development Charges are levied

- (a) indoor recreational facilities and lands related thereto;
- (b) parklands and other outdoor park facilities including sports fields and courts, landscaping, lighting, fencing, benches, but excluding the costs of acquisition of land for parks;
- (c) libraries and lands related thereto, including circulating and non-circulating materials generally provided to library users by public libraries;
- (d) oversizing of roads, installation of stub streets, street lights and fencing;
- (e) installation of traffic signals and signs, and services related thereto;
- (f) vehicles and equipment (rolling stock);
- (g) growth management studies;
- (h) fire protection services.

SCHEDULE "B"

**CITY-WIDE
DEVELOPMENT CHARGES**

SERVICE	Residential \$ Per Unit			Non- Res. \$ Per Sq. Ft.
	SDD/Semi	Multiple	Apt.	
Indoor Recreation	\$534.19	\$396.90	\$229.17	\$0.07
Outdoor Recreation	\$520.62	\$386.82	\$223.35	\$0.06
Library Materials & Buildings	\$393.90	\$292.67	\$168.98	\$0.05
Rolling Stock	\$82.31	\$61.16	\$35.31	\$0.03
Traffic Signals	\$22.97	\$17.07	\$9.85	\$0.01
Growth Management Studies	\$ 196.97	\$146.35	\$84.50	\$0.07
Fire Protection	\$0.00	\$0.00	\$0.00	\$0.01
TOTAL	\$1,750.96	\$1,300.96	\$751.16	\$0.30

**SPECIAL AREA DEVELOPMENT CHARGES
FOR ENGINEERING SERVICES**

SERVICE	Residential \$ Per Unit			Non- Res. \$ Per Sq. Ft.
	SDD/Semi	Multiple	Apt.	
Roads and Streetlighting	\$346.62	\$257.54	\$148.70	\$0.10
Growth Management Studies	\$45.31	\$33.67	\$19.44	\$0.06
TOTAL	\$391.93	\$291.21	\$168.14	\$0.16

SDD means the "Single Detached Dwelling" DC rate.

SDD is the DC rate applicable to a single detached dwelling and to a semi-detached dwelling.

Multiple means "multiple unit dwelling" as defined in this by-law.

City of Hamilton Development Charges

-Background Study-

- Neighbourhood Boundary
- City of Hamilton
- Special Charges Area

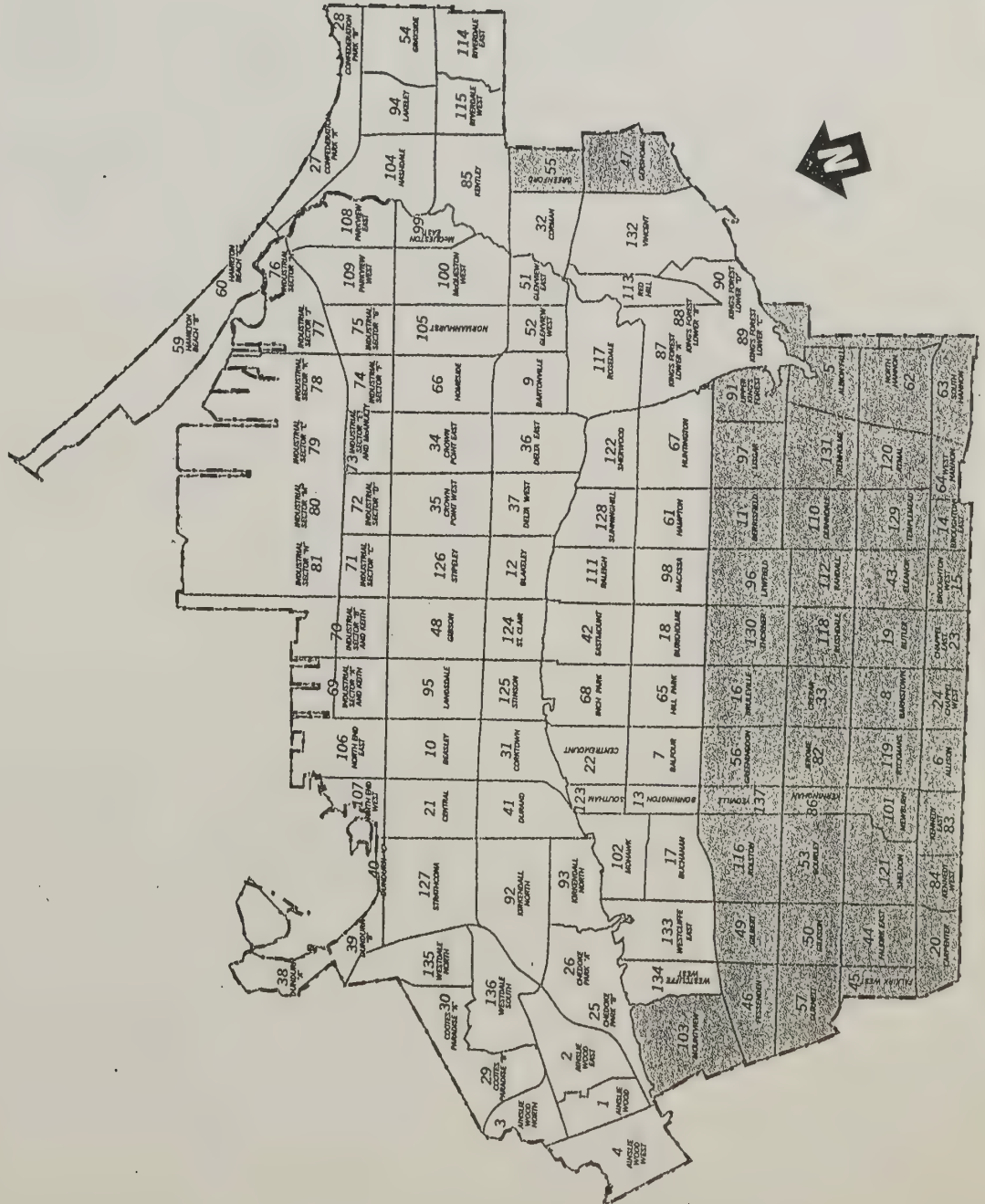
City of Hamilton

Schedule C

Map forming part of
By-Law No. 99.....

July 21, 1999

Community Planning and Development Division



not to scale

SCHEDULE "D"

O.Reg. 82/98 Table, referred to Section 7 of By-law

Name of Class of Residential Building	Description of Class of Residential Buildings	Maximum Number of Additional Dwelling Units	Restrictions
Single Detached Dwellings	Residential buildings, each of which contains a single dwelling unit, that are not attached to other buildings.	Two	The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the building.
Semi-detached dwellings or row Dwellings	Residential buildings, each of which contains a single dwelling unit, that have one or two vertical walls, but no other parts, attached to other buildings.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the dwelling unit already in the building.
Other residential buildings	A residential building not in another class of residential building described in this table.	One	The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the building.

BY-LAW NO. 99 - 119

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF AUGUST 1999.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

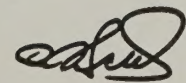
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

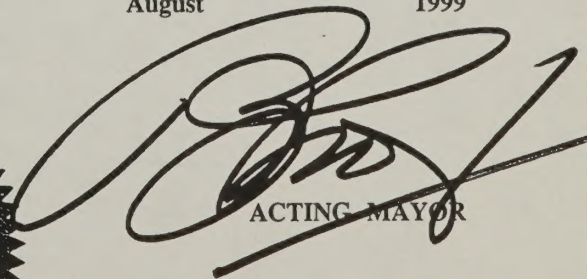
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11th day of August 1999



MUNICIPAL CLERK



ACTING MAYOR



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